

Tab 1	CS/SB 86 by TR, Gaetz ; Similar to H 01247 Commercial Motor Vehicles Operated by Unauthorized Aliens				
Tab 2	SB 642 by Burgess ; Identical to H 00271 Foreign and Alien Bail Bond Insurers				
Tab 3	SB 712 by Yarborough ; Similar to CS/H 00265 Prohibition of Pyramid Promotional Schemes				
Tab 4	CS/SB 758 by JU, Bradley ; Similar to CS/CS/H 00625 Justice Administrative Commission				
876382	A	S	CJ, Bradley	Delete L.22 - 26:	02/10 03:18 PM
Tab 5	SB 896 by Gaetz ; Similar to CS/H 00757 School Safety				
580518	D	S	CJ, Gaetz	Delete everything after	02/10 03:18 PM
Tab 6	CS/SB 1224 by JU, Rodriguez ; Similar to CS/H 01293 Fraudulent Entry of Residential Dwellings				
656130	A	S	CJ, Rodriguez	Delete L.18 - 29:	02/10 03:18 PM
Tab 7	SB 1300 by Calatayud ; Compare to CS/CS/H 00325 Education and Workforce Development for Current and Former Inmates				
Tab 8	SB 1370 by Martin ; Identical to CS/H 00035 Habitual Traffic Offender Designation				
Tab 9	SB 1712 by Martin ; Identical to H 00945 Statewide Counterintelligence and Counterterrorism Unit				

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

CRIMINAL JUSTICE
Senator Martin, Chair
Senator Smith, Vice Chair

MEETING DATE: Wednesday, February 11, 2026

TIME: 3:00—5:30 p.m.

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

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

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 86 Transportation / Gaetz (Similar H 1247)	Commercial Motor Vehicles Operated by Unauthorized Aliens; Declaring the policy of the state with respect to the operation of commercial motor vehicles by unauthorized aliens; requiring sworn law enforcement officers with certain authority to take into custody persons determined to be unauthorized aliens operating commercial motor vehicles and facilitate the transfer of such persons into the custody of a federal immigration agency; requiring the impoundment and removal of a commercial motor vehicle under certain circumstances; providing that motor carriers are liable for certain civil penalties, etc.	TR 01/27/2026 Fav/CS CJ 02/11/2026 FP
2	SB 642 Burgess (Identical H 271)	Foreign and Alien Bail Bond Insurers; Providing duties of certain foreign and alien bail bond insurers relating to reporting bail bond premiums to the Office of Insurance Regulation, keeping records of considerations paid for bail bonds written by the insurers, and disclosing certain information in the financial statements filed with the office, etc.	BI 01/13/2026 Favorable CJ 02/11/2026 RC
3	SB 712 Yarborough (Similar CS/H 265)	Prohibition of Pyramid Promotional Schemes; Citing this act as the "Direct Sales Consumer Protection Act"; prohibiting a person from establishing, promoting, operating, or participating in a pyramid promotional scheme; requiring the Department of Legal Affairs to issue and serve a complaint and cease and desist order in certain instances; providing penalties, etc.	CJ 02/11/2026 ACJ FP

COMMITTEE MEETING EXPANDED AGENDA

Criminal Justice

Wednesday, February 11, 2026, 3:00—5:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	CS/SB 758 Judiciary / Bradley (Similar CS/CS/H 625)	Justice Administrative Commission; Revising the membership of the Justice Administrative Commission, etc. JU 01/20/2026 Fav/CS CJ 02/11/2026 RC	
5	SB 896 Gaetz (Similar CS/H 757)	School Safety; Authorizing public postsecondary educational institutions to participate in the school guardian program; authorizing certain college or university employees, faculty members, and students to openly carry a handgun or carry a concealed weapon or concealed firearm into a college or university facility; creating the offense of discharging a weapon or firearm within 1,000 feet of a school, etc. CJ 02/11/2026 AHE RC	
6	CS/SB 1224 Judiciary / Rodriguez (Similar CS/H 1293)	Fraudulent Entry of Residential Dwellings; Creating the crime of fraudulent entry of a residential dwelling unit; prohibiting a person from entering into and taking possession of a residential dwelling unit under specified circumstances; providing that fraudulent entry of a residential dwelling unit is an act of noncompliance for which a landlord may terminate a rental agreement, etc. JU 01/27/2026 Fav/CS CJ 02/11/2026 RC	
7	SB 1300 Calatayud (Compare CS/CS/H 325)	Education and Workforce Development for Current and Former Inmates; Authorizing the Department of Transportation to expend certain funds for all workforce development programs, rather than only construction workforce development programs; authorizing the department to use workforce development funds for certain certification and training opportunities; authorizing employers to apply to the Department of Financial Services for reimbursement of the cost of certain workers' compensation and automobile liability premiums, subject to appropriation; providing requirements and restrictions for reimbursement, etc. CJ 02/11/2026 AEG FP	

COMMITTEE MEETING EXPANDED AGENDA

Criminal Justice

Wednesday, February 11, 2026, 3:00—5:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
8	SB 1370 Martin (Identical CS/H 35)	Habitual Traffic Offender Designation; Citing this act as "Isaiah's Law"; revising the definition of the term "habitual traffic offender", etc. TR 02/03/2026 Favorable CJ 02/11/2026 RC	
9	SB 1712 Martin (Identical H 945)	Statewide Counterintelligence and Counterterrorism Unit; Requiring the Department of Law Enforcement to establish and administer a Statewide Counterintelligence and Counterterrorism Unit at a specified location; requiring that a team from the unit be assigned to and aligned with each regional domestic security task force; specifying unit duties; requiring the department to create a team by a specified date to serve as the initial leadership and organizational core of the full unit, etc. CJ 02/11/2026 ACJ FP	

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointment to the office indicated.			
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc.			
10	Banks, Kimberly S. (Tallahassee)	09/30/2028	
11	Whitehurst, John Willis ()	09/30/2029	
12	Upchurch, James R. (Tallahassee)	09/30/2029	
13	Stutler, Denver J., Jr. (Sarasota)	09/30/2028	
14	Kilcrease, David E. ()	09/30/2026	
15	Godwin, Cory ()	09/30/2026	
16	Garey, Alan L. (Pompano Beach)	09/30/2029	
17	Collura, Gino (Dade City)	09/30/2027	
18	Clemmons, Marvin Walker (Pensacola)	09/30/2028	
19	Baiardi, James ()	09/30/2027	

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Transportation

BILL: CS/SB 86

INTRODUCER: Transportation Committee and Senator Gaetz

SUBJECT: Commercial Motor Vehicles Operated by Unauthorized Aliens

DATE: February 10, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Shutes	Vickers	TR	Fav/CS
2.	Wyant	Stokes	CJ	Pre-meeting
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 86 creates penalties regarding the operation of commercial motor vehicles (CMV) by unauthorized aliens. Specifically, the bill does the following:

- Declares that the operation of a commercial motor vehicle by an unauthorized alien is an imminent safety hazard and provides certain requirements for CMV drivers.
- Requires specified law enforcement officers to take an unauthorized alien operating a CMV into custody and facilitate the transfer of such person to a federal immigration agency.
- Imposes a \$50,000 civil penalty on motor carriers for either an immediate incident-based penalty, or through an audit/investigation-based penalty.
- Allows the Office of Commercial Motor Vehicle Enforcement to issue an out-of-service order to motor carriers when specified violations occur.
- Directs the \$50,000 civil penalty to be transferred to the Highway Safety Operating Trust Fund and must be used for technology and training to enforce the provisions of the bill.
- Provides an administrative hearing under ch. 120, F.S., must be afforded to a motor carrier subject to an out-of-service order.

The bill will have an indeterminate fiscal impact on the private and governmental sectors. See Section V. Fiscal Impact Statement for details.

The bill takes effect July 1, 2026.

II. Present Situation:

Florida law defines the term "unauthorized alien" as a person who is unlawfully present in the United States according to the terms of the federal Immigration and Nationality Act, 8 U.S.C. ss. 1101 et seq. The term shall be interpreted consistently with any applicable federal statutes, rules, or regulations.¹

Federal Law Relating to Commercial Driver Licenses

The Motor Carrier Safety Act of 1984 required the Secretary of Transportation to prescribe regulations on commercial motor vehicle safety. The regulations must prescribe minimum safety standards for commercial motor vehicles. At a minimum, the regulations must ensure that:

- Commercial motor vehicles are maintained, equipped, loaded, and operated safely;
- The responsibilities imposed on certain operators of commercial motor vehicles do not impair their ability to operate the vehicle safely;
- The physical condition of operators of commercial motor vehicles is adequate to enable them to operate the vehicles safely; and
- The operation of commercial motor vehicles does not have a deleterious effect on the physical condition of the operators. (*See*, 49 U.S.C. 31136(a))²

The Commercial Motor Vehicle Safety Act of 1986 prohibits any person who does not hold a valid commercial driver's license (CDL) or a commercial learner's permit (CLP) issued by his or her state of domicile from operating a CMV that requires a driver with a CDL. In addition, the act required the Secretary of Transportation, after consultation with the states, to prescribe regulations on minimum uniform standards for the issuance of CDLs by the states and for the information to be contained on each license (*See*, 49 U.S.C. 31305, 31308).

49 C.F.R. §384.214 provides that a state must allow any person to operate a CMV in the State who is not disqualified from operating a CMV and who holds a CLP or CDL that is:

- Issued to him or her by his/her State or jurisdiction of domicile in accordance with part 383 of this subchapter;
- Not disqualified; and
- Valid under the terms of part 383, subpart F, of this subchapter, for the type of vehicle being driven.

49 C.F.R. §395.13 defines the term "out-of-service order" to be a declaration by an authorized officer of a Federal, State, Canadian, Mexican, or local jurisdiction that a driver, a commercial motor vehicle, or motor carrier operation, is out-of-service pursuant to §§386.72, 392.5, 395.13, 396.9, or comparable laws or the North American Out-Of-Service Criteria.³

¹ Section 908.111(1)(d), F.S.

² 76 C.F.R. 26855 (May 9, 2011).

³ 49 C.F.R. 386.72(4) relates to Imminent hazard[s] and provides for placing a CMV driver or motor carrier "out-of-service" pursuant to 49 U.S.C. 31502 or federal regulations issued by the U.S. Secretary of Transportation. 49 C.F.R. §392.5 addresses prohibited uses of alcohol a driver of a CMV. 49 CFR §395.13 addresses drivers ordered out-of-service, including provisions which provide that no motor carrier shall require or permit a driver ordered out-of-service to operate a CMV or

Federal Emergency Rule on State Issuance of CDLs to Non-domiciled Persons

On September 25, 2025, the Federal Motor Carrier Safety Administration (FMCSA), pursuant to its authority, amended the federal regulations for State Driver's Licensing Agencies issuing commercial driving credentials to foreign-domiciled individuals. Through this interim final rule, FMCSA sought to restore the integrity of the CDL issuance processes by significantly limiting the authority for states to issue and renew non-domiciled CLPs and CDLs to individuals domiciled in a foreign jurisdiction. This change was designed to strengthen the security of the CDL issuance process and to enhance the safety of CMV operations.⁴

The emergency federal rules were motivated in part by the August 12, 2025, Florida crash that killed three people on the Florida Turnpike in St. Lucie County. FMCSA indicated that the driver had an unexpired employment authorization document and was therefore eligible for a non-domiciled CDL under the existing regulations but was improperly issued a standard (full-term) CDL in Washington in 2023. He was subsequently issued a proper non-domiciled CDL in California but would not have been eligible for a non-domiciled CDL under the revised regulations requiring a driver to provide a I-94 or I-94A indicating a specified employment-based nonimmigrant status.⁵

The FMCSA emergency rule included the following provisions:

- Revises the regulations that allow states to issue and renew non-domiciled CLPs and CDLs to individuals domiciled in foreign jurisdictions by restricting the issuance and renewal of non-domiciled CLPs and CDLs to individuals who maintain lawful immigration status in the following specific employment-based nonimmigrant categories: H-2A, H-2B, and E-2 visa holders and provides that no other immigration categories will be eligible for a non-domiciled CLP or CDL.
- Mandates that CLP and CDL applicants present an unexpired foreign passport and Form I-94/I-94A at every issuance, transfer, renewal, and upgrade action and that an employment authorization document will no longer be sufficient to obtain a non-domiciled CLP or CDL.
- Requires that states must query the Systematic Alien Verification for Entitlements system to verify a CLP and CDL applicant's lawful immigration status in one of the three permitted categories.
- Requires that the expiration date of any non-domiciled CLP or CDL issued by a State Licensing Agency match the expiration date of the Form I-94/I-94A or be for one year, whichever is sooner.
- Requires CDL and CLP applicants be present in-person at each renewal as the current rule permitted online or mail-in renewals.

require a driver ordered out-of-service for failure to prepare a record of duty status to operate a CMV until that driver has been off-duty for the appropriate number of hours. 49 C.F.R. §396.9 deals with the inspection of CMVs, and requires the marking of CMVs placed out-of-service, and prohibits a motor carrier requiring any person to operate a CMV declared out-of-service until the appropriate repairs have been made or to remove the out-of-state vehicle sticker from any motor vehicle prior to completion of repairs.

⁴ 90 *Federal Register* 18869 (September 25, 2025).

⁵ *Id.* at 3.

- Requires states must invalidate any non-domiciled CDLs when notified by the FMCSA or other federal agencies that the non-domiciled CDL does not comply with the new requirements.⁶

Florida Driver Licenses

Florida Law requires a person who operates any motor vehicle on a highway in this state to have a valid driver license.⁷

The Florida Department of Highway Safety and Motor Vehicles (the Department) may not issue a CDL to any person who is not a resident of Florida.⁸ A resident of Florida who is required to possess a CDL may not operate a CMV in Florida unless they possess a valid CDL issued by this state.⁹ A person who is not a resident of Florida who drives a commercial vehicle must possess a CDL with property endorsements issued in compliance with applicable federal regulations.¹⁰

Florida only issues driver licenses and identification cards which meet all minimum-security requirements for the REAL ID Act of 2005 and ss. 322.05 and 322.08, F.S.¹¹

Florida law also provides that if a driver license is of a class of licenses issued by another state exclusively to unauthorized aliens or undocumented immigrants who are unable to prove lawful presence in the United States when the licenses are issued, the driver license, or other permit purporting to authorize the holder to operate a motor vehicle on public roadways is invalid in this state.¹² Such classes of licenses include licenses that are issued exclusively to unauthorized aliens or undocumented immigrants or licenses that are substantially the same as licenses issued to citizens, residents, or those lawfully present in the United States but have markings establishing that the license holder did not exercise the option of providing proof of lawful presence. Section 322.033, F.S., requires a law enforcement officer who stops a person driving with an invalid license to issue a citation to the driver for driving without a license in violation of s. 322.03, F.S.

Generally, Florida driver licenses, including CDLs, are issued for a term of eight years expiring on the applicant's next birthday which next occurs on or after the anniversary of date of issuance to persons who have not attained the age of eighty (80) years.¹³

Driver licenses issued to a driver who establishes his or her identity using a valid unexpired permanent resident card (green card) must expire on the licensee's birthday that next occurs eight years after the month of expiration of the license being renewed.¹⁴ After the initial showing of

⁶ Federal Motor Carrier Safety Administration, "*Protecting America's Roads - Restoring Integrity to Non-domiciled CDLs*", updated September 29, 2025, available at <https://www.fmcsa.dot.gov/newsroom/fact-sheet-protecting-americas-road-restoring-integrity-non-domiciled-cdl> (last visited February 9, 2026).

⁷ Section 322.03, F.S.

⁸ Section 322.03(4)(a), F.S.

⁹ Section 322.03(4)(b), F.S.

¹⁰ Section 322.03(4)(b), F.S.

¹¹ Section 322.031(4), F.S.

¹² Section 322.033(I), F. S.

¹³ Section 322.18(2)(c) and (t), F.S.

¹⁴ Section 322.18(2)(c), F.S.

documentation, the driver is exempted from having to renew or obtain a duplicate license in person.¹⁵

However, a Florida commercial driver license issued to a person who establishes his or her identity using an unexpired nonimmigrant classification provided by the Office of Homeland Security (OHS) for an original driver license must provide an unexpired foreign passport and an unexpired form I-94/94A issued by OHS indicating one of the following classifications:

- H-2A Temporary Agricultural Workers,
- H-2B Temporary Non-Agricultural Workers, or
- Or E-2 Treaty Investors.¹⁶

In addition, the Department may require such applicants to produce OHS documents for the sole purpose of establishing the maintenance of, or efforts to maintain, continuous lawful presence.

Any driver license or temporary permit issued based on those documents can be valid only for a period not to exceed the expiration date of the document presented or 1 year, whichever first occurs. Furthermore, any person who used one of those documents to establish his or her identity may not renew their driver license except in person and upon submission of one of those documents. Any renewal license expires one year after the date of issuance or upon the expiration date cited on the OHS documents, whichever first occurs.¹⁷

Immigration Enforcement in Florida

Florida law establishes the importance of the state interest to cooperate and assist the federal government in the enforcement of federal immigration laws within the state.¹⁸

Florida prohibits a state entity, law enforcement agency, or local government entity from having a sanctuary policy.¹⁹ Section 908.102(6), F.S., defines "sanctuary policy" as a law, policy, practice, procedure, or custom adopted or allowed by a state entity or local government entity which prohibits or impedes a law enforcement agency from complying with 8 U.S.C. s. 1373 or which prohibits or impedes a law enforcement agency from communicating or cooperating with a federal immigration agency so as to limit such law enforcement agency in the performance of specified activities.

The State Board of Immigration Enforcement was created within the Department of Law Enforcement, and is composed of the Governor and Cabinet, as the chief immigration enforcement officer of the state and charges that board with coordinating law enforcement assistance with federal immigration laws, administering the Local Law Enforcement Immigration Grant Program established in s. 908.1033, F.S., and with reporting on law enforcement training and activity related to immigration enforcement support.²⁰ To assist the board, s. 908.1032, F.S., establishes the State Immigration Enforcement Council.

¹⁵ *Id.*

¹⁶ 49 CFR 383.5.

¹⁷ Sections 322.08(2)(c) and 322.18(2)(d) and (4)(c), F.S.

¹⁸ Chapter 908, F.S.

¹⁹ Section 908.103, F.S.

²⁰ Section 908.1031, F.S.

The State Immigration Enforcement Council encourages the cooperation of state and local law enforcement agencies, and those entities directing or supervising such agencies, in supporting the enforcement of federal immigration laws.²¹ Section 908.11, F.S., requires the sheriff or chief correctional officer operating a county detention facility to enter into a written agreement with the United States Immigration and Customs Enforcement to participate in the immigration program established under s. 287(g) of the Immigration and Nationality Act and must notify the State Board of Immigration Enforcement quarterly of the status of their agreement.

State and local law enforcement officials are authorized under section 287(g) of the Immigration and Nationality Act to enforce limited immigration authority with federal oversight during their routine police duties. The Florida Highway Patrol (FHP) is a participating member of this program. This program expands troopers power and authority to question any suspected alien or person believed to be an alien regarding their right to enter the United States. If the trooper is not able to establish the residence or temporary visitor status of a person, the trooper will contact federal partners. If the immigration status is not determined via a phone call, a federal partner may come to the scene if nearby or the trooper may transport the occupant to a determined location, such as a jail, for the person to be held for up to 72-hours for federal partners to establish the person's immigration status.²²

Whether or not an unauthorized alien is taken into custody is primarily a federal decision; troopers will defer to their federal partners. If there are criminal charges for the person as a result of the traffic stop or law enforcement interaction and their status has not been verified, the person will be transported to the jail and federal partners notified of their location. FHP is authorized to deliver detained illegal immigrants directly to federal authorities for further screening without unnecessary delays.²³

Issuance of Out-of-Service Orders for CMVs Under Florida Law

The Office of Commercial Vehicle Enforcement within the Department is authorized to issue out-of-service orders to motor carriers who, after proper notice, have failed to pay any penalty or fine assessed by the Department, or its agent, against any owner, or motor carrier for violations of state law, refused to submit to a compliance review and provided records pursuant to s. 316.302(6) or s. 316.70, F.S., or violated safety regulations pursuant to s. 316.302, F.S., or insurance requirements in s. 627.7415, F.S.²⁴ Such out-of-service orders have the effect of prohibiting the operation of any motor vehicles owned, leased, or otherwise operated by the motor carrier upon the roadways of Florida, until the violations have been corrected or the penalties paid.

All out-of-service orders must be approved by the director of FHP or his or her designee.²⁵

²¹ Section 908.104, F.S.

²² DHSMV, *2026 Legislative Bill Analysis: SB 86* (September 26, 2026) at p. 6 (on file with the Senate Committee on Transportation).

²³ *Id.*

²⁴ Section 316.3026, F.S.

²⁵ *Id.* at 22.

Administrative hearings for affected motor carriers are authorized pursuant to s. 120.569, F.S. All owners and drivers of CMVs that are operated in *interstate* commerce are subject to the rules and regulations contained in 49 C.F.R. parts 382-386 and 390-397, and those that are operated in *intrastate* commerce are subject to the rules and regulations contained in 49 C.F.R. parts 382-386 and 390-397, as such regulations existed on December 31, 2023.

A CMV that is found to be operating in such an unsafe condition as to be declared out-of-service or a driver declared out-of-service or removed from driving status pursuant to the North American Standard Out-of-Service Criteria must be repaired or returned to driving status before being returned to service.²⁶ Operation of a CMV by any person who owns, operates, or causes or permits a commercial motor vehicle that has been declared out-of-service pursuant to the North American Standard Out-of-Service Criteria is subject to the penalties provided in 49 C.F.R. §383.53.²⁷

International Registration Plan and International Fuel Tax Agreement

The International Registration Plan (IRP) for commercial motor vehicles engaged in interstate commerce is a reciprocal agreement between the lower 48 states, the District of Columbia, and the 10 Canadian provinces. Once the vehicle is registered in the jurisdiction where the motor carrier is based, the registration is valid in all the other IRP member jurisdictions. The IRP registration is applied so that the fees paid to the base jurisdiction are divided among all the member jurisdictions in which the vehicle(s) operated.²⁸

Similarly, the International Fuel Tax Agreement (IFTA) simplifies fuel tax reporting for interstate carriers with another apportionment system. Interstate carriers must register with both before they are able to operate in Florida. Before issuing IRP/IFTA credentials, the Department is required to verify whether a carrier has been placed out of service by Commercial Vehicle Enforcement. If the carrier is found to be out-of-service for any reason, credentials will not be issued.^{29, 30}

Impounding Vehicles by Law Enforcement

Florida law sets guidelines for placing holds on vehicles by an investigating agency which are towed, restricting the tow company from releasing the vehicle to the owner. If the hold is to last longer than five days, the law enforcement agency placing the hold may have the vehicle removed to a designated impound lot, in which event the vehicle will not be released until proof of payment of the towing and storage charges incurred by the wrecker operator is presented to the law enforcement agency. If the agency has the hold exceed five days, the law enforcement agency is responsible for the payment of storage charges incurred by the wrecker operator for the extended period, the owner of the vehicle is only responsible for the storage fees for the first five

²⁶ Section 316.3025(1), F.S.

²⁷ Section 316.3025(2), F.S.

²⁸ Department of Highway Safety and Motor Vehicles, <https://www.flhsmv.gov/driver-licenses-id-cards/commercial-motor-vehicle-drivers/international-registration-plan/> (last visited February 9, 2026).

²⁹ Department of Highway Safety and Motor Vehicles, <https://www.flhsmv.gov/driver-licenses-id-cards/commercial-motor-vehicle-drivers/international-fuel-tax-agreement/> (last visited February 9, 2026).

³⁰ DHSMV, *supra* note 22, at 6.

days. If there is a judicial finding that there was no probable cause for having continued the impoundment, the law enforcement agency is responsible for the accrued charges for towing and storage.³¹

FHP policy on vehicle towing and impoundment provides that holds may be placed on a vehicle if there is probable cause to believe the vehicle may be seized and forfeited or if the vehicle is impounded or immobilized pursuant to Florida Statute. If the vehicle is held longer than five days, troopers are to arrange for the vehicle to be stored at a facility where storage fees will not accrue. Proof of payment of applicable wrecker bills still must be presented prior to the release of the vehicle. Typically, these vehicles are stored at Vehicle Impound Facilities, which are secure facilities maintained by the FHP to limit access and keep secure vehicles taken into possession as evidence or property related to a crime.³²

Liens for Recovering, Towing, or Storing of Vehicles and Vessels

Liens are claims against property that evidence a debt, obligation, or duty. Liens can be created by judgment, equity, agreement, or statute. The rights and duties of a lienholder depend on the type of lien created and are generally set out in the order, agreement, or statute creating the lien. Liens on a vehicle or vessel for towing and storage charges are created in statute.³³

A wrecker operator or other person engaged in the business of transporting vehicle or vessels who recovers, removes, or stores a vehicle or vessel possesses a lien on the vehicle or vessel for a reasonable towing fee, an administrative fee or charge imposed by a county or municipality, and a storage fee (for a vehicle or vessel stored for six hours or more) if the vehicle or vessel is removed upon instructions from:

- The owner of the vehicle or vessel;
- The owner, lessor, or authorized person acting on behalf of the owner or lessor of property on which the vehicle or vessel is wrongfully parked (as long as the removal is performed according to s. 715.07, F.S.);
- The landlord or authorized person acting on behalf of a landlord, when the vehicle or vessel remains on the property after the expiration of tenancy and the removal is performed in connection with a lien pursuant to s. 83.803, F.S., or for the removal of property left behind after a lease is vacated under s. 715.104, F.S., or
- Any law enforcement agency.³⁴

A wrecker operator who claims a lien is required to give notice, by certified mail, to the registered owner, the insurance company insuring the vehicle, and all persons claiming a lien as disclosed by the records in the DHSMV or as disclosed by the records of any corresponding agency in any other state in which the vehicle is identified through a records check.³⁵

³¹ Section 323.001, F.S.

³² DHSMV, *supra* note 23 at 8.

³³ Section 713.78, F.S.

³⁴ Section 713.78(2), F.S.

³⁵ *Id.*

A towing-storage operator must use a third-party service,³⁶ approved by the Department to transmit the notice (as well as any other notices required under s. 713.78, F.S.). If there is no approved service, the operator may mail the notice and provide evidence of compliance upon application for a certificate of title.³⁷ The notice of lien must be sent by certified mail within seven business days after the date of storage of the vehicle or vessel.³⁸

A lienor or its agent may charge an administrative fee³⁹ to the registered owner or other person claiming a lien against the vehicle or vessel for a release from the lien, not to exceed \$250.⁴⁰

If a law enforcement agency authorized a towing-storage operator to remove a vehicle or vessel, or a towing-storage operator notifies a law enforcement agency of possession of a towed vehicle or vessel,⁴¹ the law enforcement agency where the vehicle or vessel is stored must contact the Department, or the appropriate agency in the state of registration, if known, within 24 hours and provide a full description of the vehicle or vessel.⁴² The Department, or appropriate state agency, must search its records to determine the identity of the owner, the company insuring the vehicle or vessel, or any lien holders and provide the information to the law enforcement agency within 72 hours.⁴³ The towing storage operator must obtain such information from the law enforcement agency within 5 days after the date of storage and provide the required notice.⁴⁴

If a towing-storage operator is unsuccessful in locating the name and address of the owner or other lienholder, the operator must, after seven business days after the initial tow or storage, notify the jurisdictional entity where the vehicle or vessel is stored, in writing by certified mail or acknowledged hand delivery, that the operator has been unable to locate the name and address. a physical search of the vehicle or vessel has revealed no ownership information, and a "good faith effort"⁴⁵ has been made, including a records check of the Department's database and of the National Motor Vehicle Title Information System.⁴⁶

Failure of the towing-storage operator to make a good faith effort to identify the owner or lien holder of the vehicle or vessel precludes the towing-storage operator from assessing any storage charges.⁴⁷

³⁶ Section 713.78(16)(a), F.S.

³⁷ Section 713.78(16)(b), F.S.

³⁸ Section 713.78(4)(a) and (c), F.S.

³⁹ Section 713.78(15)(a), F.S.

⁴⁰ *Id.*

⁴¹ Section 715.07(2)(a), F.S.

⁴² Section 713.78(4)(b), F.S.

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ Section 713.78(5)(e), F.S.

⁴⁶ AAMVA, *National Motor Vehicle Information System (NMVTIS)* <https://www.aamva.org/technology/systems/vehicle-systems/nmvtis#> (last visited February 9, 2026).

⁴⁷ Section 713.78(9), F.S.

III. Effect of Proposed Changes:

The bill declares that the operation of a commercial motor vehicle by an unauthorized alien is an imminent safety hazard and provides certain requirements for CMV drivers. Specifically, a CMV driver must:

- Be lawfully present in the U.S.;
- Hold a valid driver license;
- Understand and read English;
- Follow road signs, laws, and instructions; and
- Communicate effectively with law enforcement.

The bill provides that a law enforcement officer who determines that a person operating a CMV in this state is an unauthorized alien must take such person into custody and facilitate the transfer of the unauthorized alien into custody of a federal immigration agency, consistent with state and federal law.

The CMV operated by the unauthorized alien must be impounded and removed to a secure wrecker operator's storage facility or a law enforcement impound lot. The sworn law enforcement officer shall immediately notify FHP that such unauthorized alien has been taken into custody and provide information necessary for the issuance of an out-of-service order to the motor carrier, including but not limited to:

- Information related to the offense or incident report;
- Any video or audio recordings, any photographs of the unauthorized alien and the CMV;
- The name of the motor carrier;
- The United States Department of Transportation number displayed on the CMV;
- The CMV's registration number, license plate number, the vehicle identification number; and
- Any insurance policy information.

If an unauthorized alien is taken into custody and a CMV is impounded, the motor carrier is liable for a civil penalty of \$50,000. This penalty is in addition to any other applicable penalty. A CMV impounded may not be released to the motor carrier or the owner's agent unless the civil penalty is paid or a bond is posted in accordance with s. 316.545(5), F.S., and any costs associated with the impoundment, including costs for towing and storing the CMV and providing legal notice of the impoundment, are paid. The Office of Commercial Motor Vehicle Enforcement shall issue an out-of-service order to the motor carrier.

If, during a Department investigation, safety audit, or normal business activity, it is discovered that a motor carrier has allowed, within the last 12 months, or is allowing an unauthorized alien to operate a CMV, the Office of Commercial Motor Vehicle Enforcement may issue an out-of-service order to and impose a civil penalty of \$50,000 upon the motor carrier.

A motor carrier operating in this state is subject to above described penalties if the Department finds that the motor carrier was issued an out-of-service order by any other state or the FMCSA for allowing an unauthorized alien to operate a CMV within the last 12 months or has an unresolved out-of-service order related to allowing an unauthorized alien to operate a commercial motor vehicle.

An out-of-service order must be approved by the Director of the Division of the FHP or his or her designee. Further, an out-of-service order issued may be removed only after the Department has approved a corrective action plan agreed to by the motor carrier and the motor carrier has paid any civil penalties, or as provided by a decision rendered in an administrative hearing proceeding.

The bill directs the \$50,000 civil penalty to be transferred to the Highway Safety Operating Trust Fund and must be used to fund training and technology necessary to enforce the provisions of the bill.

Finally, the bill allows for an administrative hearing under ch. 120, F.S., if the motor carrier is subject to an out-of-service order.

The Department will likely need to clarify potential out-of-service conditions for motor carriers for purposes of IFTA and IRP member states.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

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

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Motor carriers found to be in violation of the provisions of the bill would be subject to a civil penalty of \$50,000 and costs associated with the impoundment of the CMV and issuance of out-of-service order.

C. Government Sector Impact:

The Department would receive additional revenue as a result of the imposition of a \$50,000 civil penalty on the motor carrier operating a CMV. However, the fiscal impact is indeterminate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends section 316.3026 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.)

CS by Transportation on January 27, 2026:

The committee substitute:

- Declares that the operation of a CMV by an unauthorized alien is an imminent safety hazard and provides certain requirements for CMV drivers.
- Imposes a \$50,000 civil penalty on motor carriers for either an immediate incident-based penalty, or through an audit/investigation-based penalty.
- Allows the Office of Commercial Motor Vehicle Enforcement to issue an out-of-service order when specified violations occur.
- Directs the \$50,000 civil penalty to be transferred to the Highway Safety Operating Trust Fund and stipulates that such funds must be used for technology and training to enforce these provisions.
- Allows for an administrative hearing under ch. 120, F.S., if the motor carrier is subject to an out-of-service order.
- Removes the prohibition on certain motor carriers operating in Florida.

B. Amendments:

None.

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

By the Committee on Transportation; and Senator Gaetz

596-02235-26

202686c1

1 A bill to be entitled
 2 An act relating to commercial motor vehicles operated
 3 by unauthorized aliens; amending s. 316.3026, F.S.;
 4 declaring the policy of the state with respect to the
 5 operation of commercial motor vehicles by unauthorized
 6 aliens; deeming a certain threat to be an imminent
 7 safety hazard; providing requirements for commercial
 8 motor vehicle operators; requiring sworn law
 9 enforcement officers with certain authority to take
 10 into custody persons determined to be unauthorized
 11 aliens operating commercial motor vehicles and
 12 facilitate the transfer of such persons into the
 13 custody of a federal immigration agency; requiring the
 14 impoundment and removal of a commercial motor vehicle
 15 under certain circumstances; requiring such sworn law
 16 enforcement officers to immediately provide certain
 17 notification and information to the Florida Highway
 18 Patrol; providing that motor carriers are liable for
 19 certain civil penalties; prohibiting the release of
 20 certain impounded commercial motor vehicles unless
 21 certain penalties are paid or bonds are posted and
 22 certain costs are paid; requiring the Office of
 23 Commercial Vehicle Enforcement to issue certain out-
 24 of-service orders; authorizing the Office of
 25 Commercial Vehicle Enforcement to issue out-of-service
 26 orders to and impose civil penalties upon motor
 27 carriers under certain circumstances; providing that
 28 certain motor carriers are subject to certain
 29 penalties; requiring the approval of such out-of-

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

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30 service orders by the director of the Division of the
 31 Florida Highway Patrol or his or her designee;
 32 providing the circumstances under which such out-of-
 33 service orders may be removed; providing for the
 34 payment of certain penalties to the Chief Financial
 35 Officer, who shall credit the funds to the State
 36 Transportation Trust Fund for distribution to the
 37 Florida Highway Patrol to fund certain training and
 38 technology; providing an effective date.
 39
 40 Be It Enacted by the Legislature of the State of Florida:
 41
 42 Section 1. Present subsection (3) of section 316.3026,
 43 Florida Statutes, is redesignated as subsection (4), a new
 44 subsection (3) and subsection (5) are added to that section, and
 45 subsection (1) of that section is amended, to read:
 46 316.3026 Unlawful operation of motor carriers.—
 47 (1) The Office of Commercial Vehicle Enforcement may issue
 48 out-of-service orders to motor carriers, as defined in s.
 49 320.01, who, after proper notice, have failed to pay any penalty
 50 or fine assessed by the department, or its agent, against any
 51 owner or motor carrier for violations of state law, refused to
 52 submit to a compliance review and provide records pursuant to s.
 53 316.302(6) or s. 316.70, or violated safety regulations pursuant
 54 to s. 316.302 or insurance requirements in s. 627.7415. Such
 55 out-of-service orders have the effect of prohibiting the
 56 operations of any motor vehicles owned, leased, or otherwise
 57 operated by the motor carrier upon the roadways of this state,
 58 until the violations have been corrected or penalties have been

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59 paid. Out-of-service orders must be approved by the director of
 60 the Division of the Florida Highway Patrol or his or her
 61 designee. ~~An administrative hearing pursuant to s. 120.569 shall~~
 62 ~~be afforded to motor carriers subject to such orders.~~

63 (3) (a) It is the policy of the state to address the
 64 emerging issue of commercial motor vehicle operation by
 65 unauthorized aliens who are not authorized to operate in this
 66 state pursuant to s. 322.033 and who may not meet English
 67 language proficiency requirements or have the operational
 68 understanding to safely operate such vehicles. This threat to
 69 the life and safety of the motoring public is deemed an imminent
 70 safety hazard. Commercial motor vehicle operators in this state
 71 must be lawfully present in the United States; have a valid
 72 driver license; understand the English language; be able to read
 73 and follow roadway signage, rules, regulations, laws, and
 74 directions; and be able to communicate effectively with law
 75 enforcement officers.

76 (b) A sworn law enforcement officer who has the authority
 77 to take an unauthorized alien as defined in s. 908.111(1) into
 78 custody pursuant to an agreement established under s. 287(g) of
 79 the Immigration and Nationality Act, 8 U.S.C. s. 1357, and who
 80 determines that an unauthorized alien is operating a commercial
 81 motor vehicle shall take such unauthorized alien into custody
 82 and facilitate his or her transfer into the custody of a federal
 83 immigration agency as defined in s. 908.102, consistent with
 84 federal and state law. The commercial motor vehicle operated by
 85 the unauthorized alien must be impounded and removed to a secure
 86 wrecker operator's storage facility or a law enforcement impound
 87 lot. The sworn law enforcement officer shall immediately notify

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88 the Florida Highway Patrol that such unauthorized alien has been
 89 taken into custody and provide information necessary for the
 90 issuance of an out-of-service order to the motor carrier,
 91 including, but not limited to, the offense or incident report;
 92 any video and audio recordings of the incident; any photographs
 93 of the unauthorized alien and the commercial motor vehicle; the
 94 name of the motor carrier; the United States Department of
 95 Transportation number displayed on the commercial motor vehicle;
 96 the commercial motor vehicle's registration number, license
 97 plate number, and vehicle identification number; and any
 98 insurance policy information.

99 (c) If an unauthorized alien is taken into custody and a
 100 commercial motor vehicle is impounded under paragraph (b), the
 101 motor carrier is liable for a civil penalty of \$50,000. This
 102 penalty is in addition to any other applicable penalty. A
 103 commercial motor vehicle impounded under paragraph (b) may not
 104 be released to the motor carrier or the owner's agent unless the
 105 civil penalty is paid or a bond is posted in accordance with s.
 106 316.545(5) and any costs associated with the impoundment,
 107 including costs for towing and storing the commercial motor
 108 vehicle and providing legal notice of the impoundment, are paid.
 109 The Office of Commercial Vehicle Enforcement shall issue an out-
 110 of-service order to the motor carrier.

111 (d) If, during a department investigation, safety audit, or
 112 normal business activity, it is discovered that a motor carrier
 113 has allowed, within the last 12 months, or is allowing an
 114 unauthorized alien to operate a commercial motor vehicle in
 115 violation of this subsection, the Office of Commercial Vehicle
 116 Enforcement may issue an out-of-service order to and impose a

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117 civil penalty of \$50,000 upon the motor carrier.

118 (e) A motor carrier operating in this state is subject to
119 penalties under paragraph (d) if the department finds that the
120 motor carrier was issued an out-of-service order by any other
121 state or the Federal Motor Carrier Safety Administration for
122 allowing an unauthorized alien to operate a commercial motor
123 vehicle within the last 12 months or has an unresolved out-of-
124 service order related to allowing an unauthorized alien to
125 operate a commercial motor vehicle.

126 (f) An out-of-service order issued under this subsection
127 must be approved by the director of the Division of the Florida
128 Highway Patrol or his or her designee. Further, an out-of-
129 service order issued under this subsection may be removed only
130 after the department has approved a corrective action plan
131 agreed to by the motor carrier and the motor carrier has paid
132 any civil penalties, or as provided by a decision rendered in a
133 proceeding held under subsection (5).

134 (g) All penalties imposed and collected pursuant to this
135 subsection shall be paid to the Chief Financial Officer, who
136 shall credit the funds to the Highway Safety Operating Trust
137 Fund within the department to fund training and technology
138 necessary to enforce this subsection.

139 (5) An administrative hearing pursuant to s. 120.569 must
140 be afforded to a motor carrier subject to an out-of-service
141 order pursuant to this section.

142 Section 2. This act shall take effect July 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Banking and Insurance

BILL: SB 642

INTRODUCER: Senator Burgess

SUBJECT: Foreign and Alien Bail Bond Insurers

DATE: February 10, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Knudson	BI	Favorable
2.	Parker	Stokes	CJ	Pre-meeting
3.			RC	

I. Summary:

SB 642 requires foreign and alien bail bond insurers doing business in Florida authorized to transact surety business in Florida to report bail bond premiums and other related information to the Office of Insurance Regulation (OIR) in the same manner that is required currently of domestic bail bond insurers. SB 642 requires such foreign and alien bail bond insurers to:

- Report bail bond premiums to the OIR net of any amounts retained by licensed bail bond agents or appointed managing general agents.
- Establish direct written premiums for bail bonds which may not be less than 6.5 percent of the total consideration received by the agent for all bail bonds written by the agent.
- Apply the prescribed reporting requirements to bail bond premiums assumed by foreign, and alien insurers for purposes of filing financial statements with the OIR.
- Maintain records of the total consideration paid by the foreign and alien insurers for bail bonds written by the insurer.
- Disclose the following information in the notes to the financial statements in the annual statements filed with the OIR:
 - Gross premiums written in each state by the agents of the insurer;
 - Premium taxes incurred by the insurer in each state;
 - Total consideration withheld by agents and not reported as an expense by the insurer; and
 - The amount of bail bond premium included in the surety line of the insurer's annual statement as filed with the OIR.

II. Present Situation:

Regulation of Bail Bond Agents

Bail is a guarantee by a third party that a defendant in a criminal case will appear in court at all judicial proceedings.¹ Chapter 903, F.S., sets forth the requirements relating to bail and bail bonds. A bail bond agent posts a bond to secure the defendant's release² from custody; the defendant provides money or other collateral³ to secure the bail bond; and forfeits the premium if the defendant fails to appear in court or comply with other conditions of the bond.⁴ A bail bond is a type of surety bond.⁵

Chapter 648, F.S., governs the regulation of bail bond agents and the business of issuing bail bonds, with the chapter being enforced by the Department of Financial Services (DFS).⁶ Generally, bail bond agents are appointed by insurers to execute bail bonds.⁷ Licensed bail bond agents are required to charge a premium in exchange for granting the surety bond.⁸

Bail bond rates are subject to the requirements of part I of ch. 627, F.S. A bail bond agent may not execute a bail bond without charging a premium, and the premium rate may not exceed or be less than the premium rate as filed and approved by the OIR.⁹ Generally, the premium paid or retained by the bail bond agent is split between the bail bond agent, the managing general agent, and the insurer. Bail bond agents retain a large portion of the premium because of the risk retained by the agent and because of the work performed in obtaining collateral and ensuring that the defendant appears in court.¹⁰ If the defendant does not appear in court, the agent is responsible for paying the amount of the bond to the court.

Regulation of Bail Bond Insurance

The Office of Insurance Regulation (OIR)¹¹ is responsible for the regulation of all activities of insurers and other risk-bearing entities, including licensure, rates,¹² policy forms, market conduct, claims, solvency, administrative supervision, as provided under the Florida Insurance Code (code).¹³

¹ Section 903.046, F.S.

² Section 903.035, F.S.

³ Section 648.442, F.S.

⁴ Sections 903.26 and 903.27, F.S.

⁵ Section 624.606, F.S.

⁶ Section 648.30, F.S.

⁷ A bail bond agent may either be a limited surety agent who is appointed by a surety insurance company to execute or countersign bail bonds, or a professional bail bond agent who pledges his or her own funds as security for a bail bond. Sections 648.30 and 648.40, F.S.

⁸ Section 648.33(2), F.S.

⁹ Section 648.33, F.S.

¹⁰ Section 624.4094(1), F.S.

¹¹ The OIR is an office under the Financial Services Commission (commission), which is composed of the Governor, the Attorney General, the Chief Financial Officer, and the Commissioner of Agriculture. The commission is not subject to control, supervision, or direction by the Department of Financial Services in any manner, including purchasing, transactions involving real or personal property, personnel, or budgetary matters. Section 20.121(3), F.S.

¹² Pursuant to s. 627.062(1), F.S., rates may not be excessive, inadequate, or unfairly discriminatory.

¹³ Section 20.121(3)(a)1., F.S.

For purposes of the code, a domestic insurer is an insurer formed under the laws of Florida.¹⁴ A foreign insurer is one formed under the laws of any state, district, territory, or commonwealth of the United States other than Florida.¹⁵ An alien insurer is an insurer other than a domestic or foreign insurer.¹⁶

An insurer must obtain a certificate of authority from the OIR to transact business in Florida.¹⁷ As part of the licensure process, an insurer must meet minimum surplus and capital requirements¹⁸ and other provisions of part III, ch. 624, F.S. Policy forms and rates are subject to approval by the OIR.¹⁹

General Premium Writing Restrictions

Section 624.4095, F.S., prohibits an insurer's ratio of actual or projected annual written premiums to current or projected surplus as to policyholders from exceeding 10 to 1 for gross written premiums or 4 to 1 for net written premiums. The term, "gross premiums written," means direct premiums written and reinsurance assumed.²⁰

Bail Bond Premiums

Prior to 2000, Florida domestic bail bond insurers were required to report premiums on a gross basis, not net of premiums retained by an agent, while some foreign insurers, domiciled in certain states, were authorized by their state regulator to report premiums net of premiums retained by the bail bond agent, which resulted in a Florida domestic insurer reporting higher premiums than other insurers writing the same business, thereby limiting the premium writing capacity of a Florida domestic insurer and placing the domestic insurer at a competitive disadvantage with foreign insurers whose state of domicile allowed for a deduction for premiums.²¹

In 2000, legislation was enacted to address this concern.²² Section 624.4094, F.S., prescribes the method for calculating direct written premiums for domestic bail bond insurers for purposes of underwriting capacity and financial reporting as prescribed in s. 624.4095, F.S. "Direct written premium," must be reported net of any amounts retained by licensed bail bond agents, and the direct written premiums for domestic bail bond insurers may not be less than 6.5 percent of the total consideration received by the agent for all bail bonds written by the agent.²³

¹⁴ Section 624.06(1), F.S.

¹⁵ Section 624.06(2), F.S.

¹⁶ Section 624.06(3), F.S.

¹⁷ Section 624.401, F.S.

¹⁸ Section 624.404, F.S.

¹⁹ Part I, ch. 627, F.S.

²⁰ Section 624.4095(3), F.S.

²¹ South Carolina Department of Insurance, Bulletin 2010-11, Bail Bond Premiums Reporting (Oct. 12, 2010), <https://doi.sc.gov/DocumentCenter/View/2798/Bulletin-2010-11-Bail-Bond-Premium-Reporting> and TX Ins Code ss. 3503.203 and 3503.204. (last visited February 9, 2026).

²² Ch. 2000-126, Laws of Fla.

²³ Section 624.4094(1), F.S.

General Financial Reporting

The OIR requires insurers to submit financial statements and audits to assist the OIR in monitoring the solvency of insurers. The way financial information is compiled and reported by an insurer is determined by the state in which the insurer is domiciled.²⁴ Therefore, foreign and alien insurers writing business in Florida compile financial reports in accordance with the law of their state or country of domicile.

An authorized insurer is required to file an annual statement with the OIR on or before March 1 for the preceding calendar year.²⁵ The filing includes Florida specific information regarding direct premiums written by line of insurance written. Quarterly statements covering the periods ending March 31, June 30, and September 30 must be filed within 45 days after each date. In addition, each authorized insurer is required to submit an audit report on the financial statements on or before June 1 for the preceding year.²⁶

The National Association of Insurance Commissioners' (NAIC) Statement of Statutory Accounting Principles (SSAP) No. 53 sets forth property and casualty insurers, including surety premium, reporting obligations. The current reporting requirements of s. 624.4094, F.S., deviate from the accounting guidelines of SSAP No. 53. The guidelines provide that the definition of the term, "net written premiums" means the direct premiums, plus the reinsurance assumed premiums, less the reinsurance ceded premiums.²⁷ The term, "direct premiums, includes all premiums arising from policies issued by the insurer acting as the primary insurance carrier."²⁸ These premiums should be adjusted for any return or additional premiums arising from endorsements, cancellations, audits, and retrospective rating plans.²⁹ Unlike other types of insurers, domestic bail bond insurers file their required financial reports with the OIR, based on premiums collected net of any amounts retained by agents.³⁰

Premium Taxes and Related Taxes

Bail bond insurers are subject to insurance premium taxes and related excise taxes under ss. 624.509, 624.5091, and 624.5092, F.S.³¹ Each insurer is required annually to pay the Department of Revenue a tax on insurance premiums in an amount equal to 1.75 percent of the direct written premiums for bail bonds, excluding any amounts retained by licensed bail bond agents, and received during the preceding calendar year, pursuant to s. 624.509(1)(c), F.S.

²⁴ Sections 624.424 and 624.4241, F.S.

²⁵ Section 624.424, F.S.

²⁶ Section 624.424(8), F.S.

²⁷ National Association of Insurance Commissioners, Statutory Issue Paper No. 53, Property Casualty Contracts – Premiums (Mar. 16, 1998), Original SSAP and Current Authoritative Guidance: SSAP No. 53, <https://content.naic.org/sites/default/files/inline-files/053-O.pdf> (last visited February 9, 2026). Net written premiums are shown in the Underwriting and Investment Exhibit of the annual statement.

²⁸ *Id.*

²⁹ *Id.*

³⁰ Section 624.4094(1), F.S.

³¹ Section 624.4094(5), F.S.

III. Effect of Proposed Changes:

Section 1 amends s. 624.4094, F.S., to subject alien and foreign bail bond insurers doing business in Florida to the current reporting requirements applicable to domestic bail bond insurers. For purposes of financial reporting to the Office of Insurance Regulation (OIR), the bill requires alien and foreign bail bond insurers doing business in Florida to:

- Report direct written premiums for bail bonds net of any amounts retained by licensed bail bond agents or appointed managing general agents.
- Establish direct written premiums for bail bond insurance which may not be less than 6.5 percent of the total consideration received by the agent for all bail bonds written by the agent;
- Apply the same reporting requirements to premiums assumed by a foreign or alien insurer;
- Keep records of the total consideration paid for bail bonds written; and
- Disclose the following information in the notes to the financial statements in the insurer's annual statement filed with the OIR:
 - Gross bail bond premiums written in each state by the agents of the insurer;
 - Premium taxes incurred by the insurer in each state;
 - Total consideration withheld by agents and not reported as an expense by the insurer; and
 - The total amount of bail bond premium included in the surety line of the annual statement.

Section 2 provides the act 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:

Under current law, only domestic bail bond insurers transacting business in Florida are prohibited from having direct written premiums for bail bonds that are less than 6.5 percent of the total consideration received by the agent for all bail bond insurance written. The bill would apply this requirement and corresponding reporting requirements to foreign and alien bail bond insurers.

However, applying to foreign and alien bail bond insurers the domestic bail bond reporting requirements and the prohibition against having direct written premiums for bail bonds less than 6.5 percent of the total consideration retained by the agent may conflict with the statutory requirements applicable to foreign and alien insurers in their home states or states of domicile.³²

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

According to the Office of Insurance Regulation, implementation of this bill may encroach on the jurisdiction of other state regulators and may constitute regulatory overreach, as it mandates that both foreign and domestic insurers disclose information that their home states may not require.³³

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 624.4094 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.

³² Office of Insurance Regulation, 2026 Agency Legislative Bill Analysis of HB 271 (identical to SB 642) (Nov. 24, 2025).

³³ *Id.*

By Senator Burgess

23-01023-26

2026642__

1 A bill to be entitled
 2 An act relating to foreign and alien bail bond
 3 insurers; amending s. 624.4094, F.S.; providing duties
 4 of certain foreign and alien bail bond insurers
 5 relating to reporting bail bond premiums to the Office
 6 of Insurance Regulation, keeping records of
 7 considerations paid for bail bonds written by the
 8 insurers, and disclosing certain information in the
 9 financial statements filed with the office; providing
 10 an effective date.
 11
 12 Be It Enacted by the Legislature of the State of Florida:
 13
 14 Section 1. Section 624.4094, Florida Statutes, is amended
 15 to read:
 16 624.4094 Bail bond premiums.—
 17 (1) The Legislature finds that a significant portion of
 18 bail bond premiums is retained by the licensed bail bond agents
 19 or appointed managing general agents. For purposes of reporting
 20 in financial statements required to be filed with the office
 21 pursuant to s. 624.424, direct written premiums for bail bonds
 22 by a domestic, foreign, or alien insurer doing business in this
 23 state ~~must shall~~ be reported net of any amounts retained by
 24 licensed bail bond agents or appointed managing general agents.
 25 However, in no case may shall the direct written premiums for
 26 bail bonds be less than 6.5 percent of the total consideration
 27 received by the agent for all bail bonds written by the agent.
 28 This subsection also applies to any determination of compliance
 29 with s. 624.4095.

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

23-01023-26

2026642__

30 (2) Premiums assumed by a domestic, foreign, or alien
 31 insurer ~~must shall~~ be reported consistent with subsections (1)
 32 and (4) for purposes of filing financial statements with the
 33 office.
 34 (3) Each domestic, foreign, or alien bail bond insurer
 35 shall keep complete and accurate records of the total
 36 consideration paid for all bail bonds written by such insurer.
 37 (4) Each domestic, foreign, or alien bail bond insurer
 38 shall disclose the following information in the notes to the
 39 financial statement in the insurer's annual statement filed with
 40 the office.
 41 (a) The gross bail bond premiums written in each state by
 42 agents for the company.
 43 (b) The amount of premium taxes incurred by the company in
 44 each state.
 45 (c) Total consideration withheld by agents and not reported
 46 as an expense by the insurer in financial statements filed with
 47 the office.
 48 (d) The amount of bail bond premium included on the surety
 49 line of the annual statement filed with the office.
 50 Section 2. This act shall take effect July 1, 2026.

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: SB 712

INTRODUCER: Senator Yarborough

SUBJECT: Prohibition of Pyramid Promotional Schemes

DATE: February 10, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Vaughan	Stokes	CJ	Pre-meeting
2.			ACJ	
3.			FP	

I. Summary:

SB 712, cited as the “Direct Sales Consumer Protection Act,” creates s. 849.0913, F.S., to prohibit a person from establishing, promoting, operating, or participating in a pyramid promotional scheme. This prohibition applies even if the person receives products, goods, services, or intangible property in addition to the right to receive compensation.

The bill provides exceptions for legitimate direct sales plans that compensate participants based on product sales for personal use, consumption, or resale, provided the plan does not require excessive inventory purchases and includes a repurchase program under commercially reasonable terms.

The bill authorizes the Department of Legal Affairs to issue and serve complaints and cease and desist orders, seek injunctions without bond, and request the appointment of receivers to manage assets of violators.

Violations of a cease and desist order may result in civil penalties of up to \$10,000 per violation.

The bill increases criminal penalties by elevating the offense of establishing, promoting, or operating such a scheme from a first degree misdemeanor¹ under current law to a third degree felony,² punishable by up to five years in prison and a \$5,000 fine. Participation in a pyramid scheme remains a first degree misdemeanor.

¹ A first degree misdemeanor is punishable by a term of imprisonment not exceeding 1 year and a fine not exceeding \$1000, as provided in ss. 775.082 and 775.083, F.S.

² A third degree felony is punishable by a term of imprisonment not to exceed five years and a \$5,000 fine, as provided in ss. 775.082, 775.083, or 775.084, F.S.

Courts must order restitution to victims, including investigative costs and disgorgement of profits. The bill specifies that these remedies and penalties are in addition to any other civil, administrative, or criminal actions provided by law.

The bill deletes the existing definition of “pyramid sales scheme” and related provisions from s. 849.091, F.S., and redefines the term in s. 849.0913, F.S.

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

The bill takes effect on July 1, 2026.

II. Present Situation:

Prohibited Pyramid Schemes, Chain Letters, and Lotteries

Section 849.091, F.S., classifies chain letters, pyramid clubs, and similar arrangements as lotteries and prohibits participation in such schemes. Individuals who organize, join, or solicit others to join such schemes commit a first degree misdemeanor.

Pyramid Schemes and Chain Letters

“Pyramid sales scheme,” refers to a sales or marketing plan where participants pay consideration or make an investment primarily to receive benefits from recruiting others rather than from the sale of goods or services. “Pyramid schemes” have existed in various forms for centuries. Pyramid scheme is a fraudulent business model that seeks to funnel revenue from recruited members to the scheme’s organizers by promising payments to members for recruiting new participants.³ The structure resembles a pyramid. The initial promoter recruits participants, who then recruit additional participants, and so on. Each level depends on continuous recruitment to sustain payouts.

Florida law provides that a pyramid sales scheme is defined as any sales or marketing plan or operation whereby a person pays a consideration of any kind, or makes an investment of any kind, in excess of \$100 and acquires the opportunity to receive a benefit or thing of value which is not primarily contingent on the volume or quantity of goods, services, or other property sold in bona fide sales to consumers, and which is related to the inducement of additional persons, by himself or herself or others, regardless of number, to participate in the same sales or marketing plan or operation, is hereby declared to be a lottery.⁴

³ Britannica, Law, Crime and Punishment, *Pyramid Scheme*, available at <https://www.britannica.com/topic/pyramid-scheme> (last visited February 9, 2026).

⁴ Section 849.091, F.S.

Any person who participates in any such lottery by becoming a member of, or affiliating with, any such group or organization, or who solicits another person for membership or affiliation in any such group or organization, commits a first degree misdemeanor.^{5,6}

Restitution

Restitution is “full or partial compensation paid by a criminal to a victim, not awarded in a civil trial for tort, but ordered as part of a criminal sentence or as a condition of probation.”⁷ “Unlike civil damages, restitution is a criminal sanction. The purpose of restitution is not only to compensate the victim, but also to serve the rehabilitative, deterrent, and retributive goals of the criminal justice system.”⁸ In a unanimous opinion authored by Justice Kavanaugh, the Supreme Court held in *Ellinburg, Jr. v. United States*,⁹ that restitution under the Mandatory Victims Restitution Act constitutes criminal punishment for purposes of the Ex Post Facto Clause.

A crime victim has a state constitutional right to restitution. The State Constitution provides that a victim has the “right to full and timely restitution in every case and from each convicted offender for all losses suffered, both directly and indirectly, by the victim as a result of the criminal conduct.”¹⁰

A sentencing court must order the defendant to make restitution to the victim for damage or loss caused directly or indirectly by the defendant’s offense and damage or loss related to the defendant’s criminal episode, unless the court finds clear and compelling reasons not to order restitution. If ordered, restitution is a mandatory condition of probation.¹¹

How Restitution is Proved and Calculated

In general, the fair market value at the time of the offense is the appropriate value for purposes of restitution. However, the Florida Supreme Court in *Hawthorne*¹² ruled that “a court is not tied to fair market value as the sole standard for determining restitution amounts, but rather may exercise such discretion as required to further the purposes of restitution.”¹³ The court found that fair market value can be established either through direct testimony of the victim or through evidence of the following four factors:

- Original market cost;
- Manner in which the item was used;
- The general condition and quality of the item; and
- The percentage of depreciation.¹⁴

⁵ Section 849.091(2), F.S.

⁶ A first degree misdemeanor is punishable by a term of imprisonment not exceeding 1 year and a fine not exceeding \$1000; a second degree misdemeanor is punishable by a term of imprisonment not exceeding 60 days and a fine not exceeding \$500, as provided in ss. 775.082 and 775.083, F.S.

⁷ Black’s Law Dictionary (11th ed. 2019), *Restitution*.

⁸ *Tolbert v. State*, 268 So.3d 947 (1st DCA 2019).

⁹ *Ellinburg, Jr. v. Supreme Court of the United States*, 607 U.S. --- (2026)

¹⁰ Art. I, s. 16(b)(9), FLA. CONST.

¹¹ Section 775.089(1)(a), F.S.

¹² *State v. Hawthorne*, 573 So. 2d 330 (Fla. 1991).

¹³ *Id.* at 333.

¹⁴ *Id.* at 332-33.

A criminal trial and conviction must (unless waived) be heard before a jury and guilt must be proved beyond a reasonable doubt. Restitution, however, is a part of the sentencing process. A sentencing hearing is tried before the judge alone, and the essential facts need only be proved by a preponderance of the evidence.¹⁵

III. Effect of Proposed Changes:

The bill, cited as the “Direct Sales Consumer Protection Act,” creates s. 849.0913, F.S., to prohibit a person from establishing, promoting, operating, or participating in a pyramid promotional scheme. This prohibition applies even if the person receives products, goods, services, or intangible property in addition to the right to receive compensation.

The bill provides exceptions for legitimate direct sales plans that compensate participants based on product sales for personal use, consumption, or resale, provided the plan does not require excessive inventory purchases and includes a repurchase program under commercially reasonable terms. To qualify for this exception, the plan must:

- Avoid requiring independent salespersons to purchase inventory in amounts exceeding what they can reasonably expect to resell or consume within a reasonable time.
- Implement a repurchase program under commercially reasonable terms. Commercially reasonable terms is defined as repurchasing current and marketable inventory within 12 months of purchase at not less than 90 percent of the original net cost, less appropriate setoffs and legal claims. Inventory that is seasonal, discontinued, promotional, expired, or opened is excluded from repurchase eligibility.

The bill authorizes the Department of Legal Affairs to:

- Issue and serve complaints and cease and desist orders when violations are suspected.
- Seek temporary or permanent injunctions without bond in any circuit court to enforce compliance. A single act in violation of the section is sufficient to authorize an injunction.
- Request the appointment of one or more receivers to take custody of the violator’s property and business, including books and records, to prevent further violations or injury to the public. The court may also stay all pending civil actions and assign them to the judge who appointed the receiver.

Violations of a cease and desist order may result in civil penalties of up to \$10,000 per violation, with each day of continued noncompliance constituting a separate offense.

The bill increases criminal penalties by elevating the offense of establishing, promoting, or operating such a scheme from a first degree misdemeanor¹⁶ under current law to a third degree felony,¹⁷ punishable by up to five years in prison and a \$5,000 fine. Participation in a pyramid scheme remains a first degree misdemeanor.

¹⁵ Section 775.089(7), F.S.

¹⁶ A first degree misdemeanor is punishable by a term of imprisonment not exceeding 1 year and a fine not exceeding \$1000, as provided in ss. 775.082 and 775.083, F.S.

¹⁷ A third degree felony is punishable by a term of imprisonment not to exceed five years and a \$5,000 fine, as provided in ss. 775.082, 775.083, or 775.084, F.S.

Courts must order restitution to victims, including investigative costs and disgorgement of profits. The bill specifies that these remedies and penalties are in addition to any other civil, administrative, or criminal actions provided by law.

The bill deletes the existing definition of “pyramid sales scheme” which is any sales or marketing plan or operation whereby a person pays consideration or makes an investment of more than \$100 to obtain the opportunity to receive a benefit that is not primarily contingent on bona fide sales to consumers, but instead depends on recruiting additional participants into the plan and related provisions from s. 849.091, F.S.

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

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

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

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

- Per FDLE, in FY 24-25, there were no arrests, guilty/convicted charges, or adjudication withheld charges for the current 1st degree misdemeanor that is deleted under this bill. Furthermore, there were no new commitments to prison for setting up, promoting, etc. or assisting therein, conducting or advertising drawing for prizes, or disposing of property or money by means of lottery. The magnitude of the impact on the prison system is not known for the act of establishing, promoting, or operating the newly defined pyramid promotional scheme.
- Per DOC, in FY 24-25, the incarceration rate for a Level 1, 3rd degree felony was 9.7%.¹⁸

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 849.091
This bill creates the following sections of the Florida Statutes: 849.0913

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.

¹⁸ Office of Economic and Demographic Research, *SB 712-Prohibition of Pyramid Promotional Schemes*, (on file with the Senate Committee on Criminal Justice)

By Senator Yarborough

4-01047-26

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A bill to be entitled

An act relating to the prohibition of pyramid promotional schemes; providing a short title; amending s. 849.091, F.S.; deleting provisions relating to pyramid sales schemes; creating s. 849.0913, F.S.; defining terms; prohibiting a person from establishing, promoting, operating, or participating in a pyramid promotional scheme; providing construction; requiring the Department of Legal Affairs to issue and serve a complaint and cease and desist order in certain instances; establishing procedures for cease and desist orders; providing penalties; providing for restitution; authorizing the department to apply for an injunction; providing requirements for an injunction; authorizing the court to appoint a receiver; providing for the powers and duties of such receivership; authorizing the court to issue an order to stay certain actions and requiring such actions be assigned to the judge who appointed the receiver; providing that specified provisions and penalties are in addition to civil, administrative, or criminal actions provided by law; providing an effective date.

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

Section 1. This act may be cited as the "Direct Sales Consumer Protection Act."

Section 2. Section 849.091, Florida Statutes, is amended to

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read:

849.091 Chain letters, pyramid clubs, etc., declared a lottery; prohibited; penalties.—

~~(1)~~ The organization of any chain letter club, pyramid club, or other group organized or brought together under any plan or device whereby fees or dues or anything of material value to be paid or given by members thereof are to be paid or given to any other member thereof, which plan or device includes any provision for the increase in such membership through a chain process of new members securing other new members and thereby advancing themselves in the group to a position where such members in turn receive fees, dues, or things of material value from other members, is hereby declared to be a lottery, and whoever shall participate in any such lottery by becoming a member of, or affiliating with, any such group or organization or who shall solicit any person for membership or affiliation in any such group or organization commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

~~(2) A "pyramid sales scheme," which is any sales or marketing plan or operation whereby a person pays a consideration of any kind, or makes an investment of any kind, in excess of \$100 and acquires the opportunity to receive a benefit or thing of value which is not primarily contingent on the volume or quantity of goods, services, or other property sold in bona fide sales to consumers, and which is related to the inducement of additional persons, by himself or herself or others, regardless of number, to participate in the same sales or marketing plan or operation, is hereby declared to be a~~

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lottery, and whoever shall participate in any such lottery by becoming a member of or affiliating with, any such group or organization or who shall solicit any person for membership or affiliation in any such group or organization commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. For purposes of this subsection, the term "consideration" and the term "investment" do not include the purchase of goods or services furnished at cost for use in making sales, but not for resale, or time and effort spent in the pursuit of sales or recruiting activities.

Section 3. Section 849.0913, Florida Statutes, is created to read:

849.0913 Pyramid promotional schemes prohibited; enforcement; remedies; penalties.-

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

(a) "Compensation" means a payment of any money, thing of value, or financial benefit conferred in return for inducing a person to participate in a pyramid promotional scheme.

(b) "Consideration" means the payment of money or the purchase of a product, good, service, or intangible property. The term does not include the purchase of a product or service furnished at cost to be used in making a sale and not for resale or any time and effort spent in pursuit of sales or recruiting activities.

(c) "Department" means the Department of Legal Affairs.

(d) "Participant" means a person who takes part in a pyramid promotional scheme.

(e) "Pyramid promotional scheme" means a plan or an operation in which a person pays or gives consideration for the

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right to receive compensation based on recruiting other persons into the plan or operation rather than from the sale and consumption of products, goods, services, or intangible property by a participant or other person introduced into the plan or operation. The term includes a plan or an operation in which the number of persons who may participate is limited either expressly or by the application of conditions affecting the eligibility of a person to receive compensation under the plan or operation, or a plan or an operation in which a person, upon giving consideration, obtains any products, goods, services, or intangible property in addition to the right to receive compensation.

(2) A person may not establish, promote, operate, or participate in a pyramid promotional scheme, even if such person, upon giving consideration, obtains products, goods, services, or intangible property in addition to the right to receive compensation.

(3) (a) This section does not prohibit a plan or an operation in which participants give consideration in return for the right to receive compensation based on the purchase of products, goods, services, or intangible property by participants for personal use, consumption, or resale so long as the plan or operation:

1. Does not promote or induce a practice in which a pyramid promotional scheme requires its independent salesperson to purchase inventory in an amount exceeding that which the salesperson can expect to resell for ultimate consumption or consumption in a reasonable time period, or both; and

2. Implements a program in which a plan or an operation

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repurchases from a salesperson, upon request and pursuant to commercially reasonable terms, current and marketable inventory in the possession of the salesperson which was purchased during his or her business relationship for resale. Such plan or operation must clearly describe the program in its business recruiting literature, sales manual, or contract with independent salespersons, including the disclosure of inventory that is not eligible for repurchase under the program.

(b) For purposes of this subsection, the term:

1. "Commercially reasonable terms" means the repurchase of current and marketable inventory within 12 months after the date of purchase at not less than 90 percent of the original net cost, less appropriate setoffs and legal claims, if any.

2. "Current and marketable inventory" does not include any inventory that:

a. Is no longer within its commercially reasonable use or shelf-life period;

b. Was clearly described to the salesperson before purchase as being seasonal, discontinued, or special promotional goods, products, or services that are not subject to the inventory repurchase program; or

c. Has been used or opened.

3. "Inventory" includes products, goods, and services, including company-produced promotional materials, sales aids, and sales kits that the plan or operation requires independent salespersons to purchase.

(4)(a) Whenever the department has reason to believe that a person has been, or is, violating this section, and if it appears to the department that a cease and desist order against

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such person would be in the interest of the public, the department shall issue and serve upon such person a complaint and cease and desist order stating its charges in that respect and containing a notice of a hearing upon a day and at the place therein fixed at least 15 days after the service of the complaint. The hearing shall be held in conformity with chapter 120.

(b) The department may modify or set aside its order at any time by rehearing upon its own motion when such rehearing is in the interest of the public welfare.

(c) Judicial review of orders of the department must be in accordance with s. 120.68, take precedence over other civil cases pending, and be expedited in every way.

(d) An order of the department to cease and desist does not become effective until 10 days after all administrative action has been concluded or, if an appeal is made to the district court of appeal and bond is posted, until a final order has been entered by that court.

(e) A cease and desist order may not act as a limitation upon any other action or remedy available.

(f) When a court remands an order of the department for rehearing, such rehearing must be held within 45 days after the remand.

(g) A person who violates a cease and desist order of the department after it has become final and while such order is in effect shall forfeit and pay to the state a civil penalty of up to \$10,000 for each violation which shall accrue to the state and may be recovered in a civil action brought by the state. Each separate violation of such an order is a separate offense,

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except that in the case of a violation through continuing failure or neglect to obey a final order of the department, each day of continuance of such failure or neglect is deemed a separate offense.

(5) (a) Whenever the department has reason to believe that a person has been, or is, violating this section, the person must be prosecuted by the department in accordance with s. 16.56.

(b) A person who is convicted of establishing, promoting, or operating a pyramid promotional scheme commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) A person who is convicted of participating in a pyramid promotional scheme commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(d) When a person is convicted of an offense under this section, the court, pursuant to s. 775.089, shall order the person to pay restitution to the victim or victims of the offense. In determining the value of the property loss, the court shall include expenses incurred in the investigation or prosecution of the offense as well as the disgorgement of any profits realized by a person convicted of the offense.

(6) (a) In addition to the remedies provided in this section, the department may apply to any circuit court of this state for the issuance of a temporary or permanent injunction, or both, for the purpose of enforcing this section. In any such action, an order or a judgment may be entered awarding such temporary or permanent injunction as may be deemed proper. Such injunction must be issued without bond. A single act in violation of this section is sufficient to authorize the

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issuance of an injunction.

(b) In addition to all other means provided by law for the enforcement of an injunction, the court in which such action is brought shall have power and jurisdiction to appoint one or more receivers for the property and business of a person who has been, or is, violating this section, including books, papers, documents, and records pertaining thereto, or as much thereof as the court may deem reasonably necessary to prevent violations of the law or injury to the public through, or by means of, the use of such property and business. The receiver, when so appointed and qualified, shall have such powers and duties as to custody, collection, administration, winding up, and liquidation of such property and business as is, from time to time, conferred upon him or her by the court. In any such action, the court may issue an order staying all pending civil actions and the court, in its discretion, may require that all civil actions be assigned to the circuit court judge who appointed the receiver.

(7) The provisions and penalties set forth in this section are in addition to any other civil, administrative, or criminal action provided by law.

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: CS/SB 758

INTRODUCER: Judiciary Committee and Senator Bradley

SUBJECT: Justice Administrative Commission

DATE: February 10, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Bond</u>	<u>Cibula</u>	<u>JU</u>	Fav/CS
2.	<u>Vaughan</u>	<u>Stokes</u>	<u>CJ</u>	Pre-meeting
3.	_____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 758 changes the membership of the Justice Administrative Commission to add a private criminal defense attorney appointed by the president of The Florida Bar, to add a seat for a chief judge of a local circuit appointed by the Florida Conference of Circuit Judges, and to add another seat for a state attorney.

The Justice Administrative Commission is an administrative support organization that provides financial and administrative assistance to the offices of the state attorneys, public defenders, capital collateral attorneys, criminal conflict and civil regional counsel, Statewide Guardian ad Litem, and private contractors that provide due process services to indigent persons. There are currently four voting members of the commission – two state attorneys and two public defenders.

The bill does not appear to have a fiscal impact on local governments and minimal to no fiscal impact on state government.

The bill is effective July 1, 2026.

II. Present Situation:

Justice Administrative Commission

The office of the Justice Administrative Commission (JAC) is a budgeting and administrative office supporting various court-related entities and programs. The primary function of the commission is to maintain a central state office for administrative services and assistance for the state attorneys and public defenders of Florida, the capital collateral regional counsel of Florida, the criminal conflict and civil regional counsel, and the Statewide Guardian ad Litem Office.¹ Services provided to these state entities are primarily in the areas of accounting, budget, financial services, and human resources. These state entities concentrate on their core missions and rely on the administrative services that are best provided by the JAC. The JAC also provides compliance and financial review of related billings for services provided by private court-appointed attorneys representing indigent persons and associated due process vendors (such as court reporters, investigators, psychologists, psychiatrists, and other vendors).² Most reimbursement rates are set within the state budget, and thus, are not controlled by the JAC. The JAC also has ministerial duties related to the budgets of the clerks of court. In the current budget year, the JAC has 93 authorized positions.

Top level executive leadership of the JAC, from 1985 to present, is in the form of a commission of four voting members: two are state attorneys appointed by the president of the Florida Prosecuting Attorneys Association, and the other two are public defenders appointed by the president of the Florida Public Defender Association.³ This composition was created in 1985. The initial commission consisted of 6 voting members: the Chief Justice (or his appointee), one judge from the district courts of appeal, one circuit judge, one county judge, one state attorney, and one public defender.⁴ Prior to the 1985 change removing the justices and judges from the commission, the commission was also responsible for the accounting and human resources duties of the entire judicial branch (justices, judges, and staff).⁵

The four current commissioners serve staggered 2-year terms.

Circuit Judges, State Attorneys, and Public Defenders

The state is divided into twenty judicial circuits.⁶ A judicial circuit consists of one or more counties. The electorate in each circuit elects circuit judges to 6-year staggered terms. The circuit judges of each circuit elect one of their own as chief judge of the circuit. A state attorney and a public defender are elected in each circuit to a 4-year term of office corresponding with the Governor's term.⁷

² Justice Administrative Commission, <https://www.justiceadmin.org/> (last visited February 9, 2026).

³ Section 43.16(2), F.S.

⁴ Chapter 85-46, Laws of Fla.

⁵ Those administrative functions were transferred to the Office of the State Courts Administrator.

⁶ Section 26.021, F.S.

⁷ FLA. CONST. art. V ss. 17-18, Fla. Const.; See Florida Department of State, Division of Elections, Offices Up for Election and Retention in 2026, <https://dos.fl.gov/elections/candidates-committees/offices-up-for-election/> (last visited February 9, 2026).

The Conference of Circuit Judges of Florida was recognized in 1959.⁸ The conference consists of the active and retired circuit judges of the several judicial circuits of the state, excluding retired judges practicing law. The 20 state attorneys collectively are the governing board of the Florida Prosecuting Attorneys Association, Inc.⁹ The 20 public defenders collectively are the governing board of the informal Florida Public Defender Association.¹⁰

Capital Collateral Attorneys

Florida has three offices of Capital Collateral Regional Counsel which represent persons convicted and sentenced to death in collateral postconviction proceedings in their geographical jurisdictions. Their three offices are in Florida's Northern, Middle, and Southern federal judicial circuits.

Criminal and Civil Regional Counsel

Federal constitutional law requires that the state furnish certain indigent persons with legal representation at state expense. Most of this requirement is fulfilled by the offices of the public defenders representing criminal defendants. If a public defender has a conflict of interest or if the individual needs representation in a qualifying civil matter,¹¹ the individual is referred to the Office of Criminal Conflict and Civil Regional Counsel for representation. If the regional counsel has a conflict or cannot otherwise assist, private attorneys are appointed. The JAC provides administrative services to the regional counsels and manages the contracts and payment of private due process services required if the regional counsel cannot represent the individual.

Statewide Guardian ad Litem

The office of the Statewide Guardian ad Litem was created to provide representation to children who are a part of a civil case alleging abuse or neglect. The office was originally formed within the Office of the State Courts Administrator, but when made independent of the court system their administrative functions were assumed by the JAC.¹²

Private contractors that provide due process services to indigent persons

If a Capital Collateral Regional Counsel has a conflict of interest prohibiting representation of a person, a court may appoint private counsel from the Capital Collateral Attorney Registry. Similarly, if neither the public defender and the regional counsel cannot provide representation, the trial court will appoint a private attorney. Appointed private attorneys must be paid, and they

⁸ Chapter 59-273, Laws of Fla.

⁹ Florida Prosecuting Attorneys Association, About Florida Prosecuting Attorneys Association, <https://yourfpaa.org/about-us/> (last visited February 9, 2026).

¹⁰ Florida Public Defender Association, Inc., FPDA Board of Directors, <https://www.conflictflpda.org/board-of-directors> (last visited February 9, 2026). The association is not formed by statute, nor does it appear to be currently registered with the state as a nonprofit corporation.

¹¹ Only civil matters where a fundamental right is at stake entitle a person to representation. For instance, a person who may be involuntarily confined to an institution may have an attorney appointed if indigent. On the other hand, one does not have a fundamental right to stop paying bills, so defendants in a foreclosure or bill collection case do not have a constitutional right to appointment of counsel at state expense.

¹² Section 39.8296, F.S.

require the services of various due process vendors, including court reporters, investigators, psychologists, psychiatrists, and other professionals that provide services to indigent persons which are required by the constitutional requirements of due process. The JAC pays appointed attorneys and administers contract services for due process providers provided at state expense, most of whom already have a contract with the JAC to provide those same services to the state attorneys and public defenders.¹³

The Florida Bar

The Supreme Court of Florida has exclusive and ultimate authority to regulate the admission of persons to the practice of law and the discipline of those persons who are admitted to practice.¹⁴ The regulation and discipline of attorneys is delegated by the Court to The Florida Bar.

The Florida Bar was originally a voluntary association of lawyers. Effective in 1950, the Supreme Court required all lawyers to become a member of The Florida Bar. Members of the Bar annually elect a president. In addition to the regulatory function of the Bar, it has numerous committees that, among other duties and functions, provide education and certification of lawyers as a specialist in one area of law practice. There are currently 391 attorneys certified in Criminal Trial Law.¹⁵ Both prosecuting attorneys and defense attorneys may obtain certification. It is unknown how many of the attorneys currently holding the certification are acting as a criminal defense attorney.

III. Effect of Proposed Changes:

CS/SB 758 changes the composition of the governing committee for the Justice Administrative Commission by adding a third state attorney, adding one seat for a board-certified criminal defense attorney appointed by the president of The Florida Bar Board of Governors, and adding one seat for a chief judge of a judicial circuit appointed by the chair of the Florida Conference of Circuit Judges. Accordingly, the total voting membership of the commission will change from four members to seven.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

¹³ Section 27.40, F.S.

¹⁴ FLA. CONST. art. V, s. 15.

¹⁵ See The Florida Bar, Criminal Trial Law Certified Lawyers, <https://www.floridabar.org/about/cert/cert-cr-mbrs/> (last visited February 9, 2026).

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:

Increasing the voting membership of the commission from four members to seven could increase administrative and travel expenses. However, the commission meetings in 2025 were short and all commissioners appeared using Internet conferencing.

VI. Technical Deficiencies:

The bill references the “Florida Conference of Circuit Judges.” There is no entity formally known by that specific name. The bill is likely referencing the “Conference of Circuit Judges of Florida” created in s. 26.55, F.S., which conference sometimes informally adopts that name.¹⁶

The bill adds that a person holding the “Criminal Law Trial Certification” is to be appointed to the JAC. The Florida Bar uses the term “Criminal Trial Law” to refer to the attorneys holding that certification.

The terms of the commissioners resulting from this bill are not ideal. In its current form the bill appears to have 5 members whose terms end during even numbered years and 2 members whose terms end in odd numbered years.

VII. Related Issues:

None.

¹⁶ Conference of Circuit Court Judges, Bylaws of the Conference of Circuit Judges of Florida, Inc., Art. I, <https://flecircuitconference.com/bylaws/> (last visited February 9, 2026).

VIII. Statutes Affected:

This bill substantially amends s. 43.16 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 Judiciary on January 20, 2026

The amendment adds a state attorney seat to the revised Justice Administration Commission. If adopted, the effect of the bill is to change the commission from four members (two state attorneys and two public defenders) to a commission of seven members (three state attorneys, two public defenders, one private attorney who practices criminal defense, and one circuit judge).

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate

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House

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

Senate Amendment

Delete lines 22 - 26
and insert:

(c) One criminal defense attorney who is not employed by the government and who has contracted with the commission to provide services pursuant to s. 27.40 within the 5 years preceding his or her appointment, to be appointed by the president of The Florida Bar Board of Governors.

(d) One circuit judge, or senior judge serving on a circuit



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11 court, to be appointed by the Chief Justice of the Supreme
12 Court.

By the Committee on Judiciary; and Senator Bradley

590-02025-26

2026758c1

1 A bill to be entitled
2 An act relating to the Justice Administrative
3 Commission; amending s. 43.16, F.S.; revising the
4 membership of the Justice Administrative Commission;
5 providing an effective date.
6
7 Be It Enacted by the Legislature of the State of Florida:
8
9 Section 1. Subsection (2) of section 43.16, Florida
10 Statutes, is amended to read:
11 43.16 Justice Administrative Commission; membership, powers
12 and duties.—
13 (2) Members of the Justice Administrative Commission shall
14 serve for a period of 2 years, with the terms of each dating
15 from July 1, 1985, except that initially, one state attorney
16 member and one public defender member shall each serve a 1-year
17 term. Members shall be selected in the following manner:
18 (a) Three ~~Two~~ state attorneys, to be appointed by the
19 president of the Florida Prosecuting Attorneys Association.
20 (b) Two public defenders, to be appointed by the president
21 of the Florida Public Defender Association.
22 (c) One board-certified criminal defense attorney with a
23 Criminal Law Trial Certification, to be appointed by the
24 president of The Florida Bar Board of Governors.
25 (d) One chief judge of a judicial circuit, to be appointed
26 by the chair of the Florida Conference of Circuit Judges.
27 Section 2. This act shall take effect July 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: SB 896

INTRODUCER: Senator Gaetz

SUBJECT: School Safety

DATE: February 10, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Cellon	Stokes	CJ	Pre-meeting
2. _____	_____	AHE	_____
3. _____	_____	RC	_____

I. Summary:

SB 896 creates s. 1006.601, F.S., to require each public postsecondary educational institution to:

- Adopt an active assailant plan;
- In cooperation with local law enforcement agencies and local government, adopt a family reunification plan;
- Train faculty to detect and respond to mental health issues;
- Post on its website a mental health awareness and suicide prevention sign;
- Establish threat management teams; and
- In collaboration with appropriate public safety agencies, annually conduct a security risk assessment at each campus using the Florida Safe Schools Assessment Tool.

The bill amends s. 1006.07, F.S., to provide that training provided by the school safety specialist for classroom teachers and other instructional staff must explain the purpose, importance, and proper execution of school safety protocols and emergency procedures.

Section 1003.25, F.S., is amended by the bill to require that a student's specified records follow such student to a Florida College System institution or state university should he or she enroll there.

The bill amends s. 943.082, F.S., to require public postsecondary educational institutions,¹ be made aware of and promote the use of the mobile suspicious activity reporting tool (FortifyFL) by:

- Advertising it on the institution website,
- Installing it on all mobile devices issued by the institution, and

¹ Public postsecondary educational institutions include workforce education; Florida College System institutions; state universities; and all other state-supported postsecondary educational institutions that are authorized and established by law. s. 1000.04(3), F.S.

- Bookmarking the website on all computer devices maintained by the institution.

The bill amends s. 30.15, F.S., to authorize local sheriffs to provide employees and faculty from the following institutions access to the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel school Guardian Program:

- Public postsecondary educational institutions;
- Workforce education;
- Florida College System Institutions;
- State universities; and
- All other state-supported postsecondary educational institutions.

The bill amends s. 790.06(12), F.S., to provide an exception from the prohibition against openly carrying a handgun, a concealed weapon or concealed firearm into any college or university facility. The exception applies to:

- Employees or faculty members of such college or university who are *not* a registered student at such college or university; *or*
- *A registered student at such college or university who is an employee or faculty member of the college or university.* This provision applies to registered students at times during which he or she is performing the duties of his or her position as an employee or faculty member of the college or university.

The bill amends s. 790.115, F.S., to create a second degree felony offense if a person possesses any firearm, electric weapon or device, destructive device, or other weapon, including a razor blade or box cutter, except as authorized in support of school-sanctioned activities, at a school-sponsored event or on the property of any school, school bus, or school bus stop² *and* he or she discharges any weapon or firearm within 1,000 feet of a school, during school hours or during the time of a sanctioned school activity, *unless* discharged for lawful defense of himself or herself or another or for a lawful purpose.

This crime is ranked as a level 6 in the Offense Severity Ranking Chart.

The bill may have a fiscal impact on the Florida Department of Law Enforcement (FDLE) and public postsecondary educational institutions. *See Section V., Fiscal Impact Statement.*

The bill takes effect upon becoming a law except for Sections 3 and 4 of the bill which takes effect on October 1, 2026.

² Section 790.115(2)(a), F.S.

II. Present Situation:

School Safety

Florida universities have been the location of various types of firearm related incidents, including school shootings. Generally, carrying a firearm on university campuses is prohibited.³ While universities may have campus police, the guardian program does not extend to universities.

The Florida State University was the site of a deadly shooting in April 2025. The shooting left two dead and six wounded.⁴ It was the second such shooting on the Florida State campus, the first occurring in November 2014 at the Strozier Library. That shooting left one victim paralyzed from the hips down and two others wounded.⁵ To date there has been no other reported Florida college campus shooting.⁶

Additionally, there was as shooting at Florida State University where a person residing at a fraternity house tested a mounted flashlight on top of a firearm. He pointed the weapon and shined the light on the faces of others in the room. When he pointed the weapon, it fired, striking two individuals and killing one of them.⁷

A person holding an active certification from the Criminal Justice Standards and Training Commission as a law enforcement officer, correctional officer, or correctional probation officer is exempt from the licensing requirements of s. 790.06, F.S.⁸ According to the Attorney General, there are currently seven university police departments in Florida at the following universities:

- Florida A & M University,
- Florida Atlantic University,
- Florida State University,
- University of Central Florida,
- University of Florida,
- University of North Florida,
- University of South Florida.⁹

Postsecondary Safety Summit

On October 8, 2025, the State University System (SUS) hosted a safety summit for university leadership and Florida College System leaders. This event provided an opportunity for

³ See ss. 790.06(12), F.S., and 790.115, F.S.

⁴ “FSUPD officers receive Governor’s Medal of Heroism”, Florida State University News; April 25, 2025; available at <https://news.fsu.edu/news/university-news/2025/04/30/114369/>; (last viewed February 9, 2026).

⁵ “Shooting at Strozier Library stuns Florida State”, Sean Rossman, Updated November 21, 2014; available at <https://www.tallahassee.com/story/news/local/fsu-news/2014/11/20/shooting-strozier-library-stuns-florida-state/70040320/>. (last viewed February 4, 2026)

⁶ For a thorough list of college shootings from August 1966 to December 2025, see US News, “A List of Deadly Shootings on College Campuses in the US,” Associated Press, December 13, 2025, available at <https://www.usnews.com/news/us/articles/2025-12-13/a-list-of-deadly-shootings-on-college-campuses-in-the-us>. (last viewed February 9, 2026).

⁷ *Wilhelm v. Secretary, Florida Department of Corrections*, (USCA 11, Case: 22-11991, Document 26-1, Filed 1/31/2024)

⁸ Section 790.06(5)(b), F.S.

⁹ See the Campus Law Enforcement list at The Attorney General’s website, available at <https://www.myfloridalegal.com/citizen-safety-center/campus-law-enforcement>. (last viewed February 9, 2026).

collaboration across the state on key safety issues, including building hardening, threat assessment, and communications.¹⁰ The results of the summit were a series of recommendations related to the following areas of campus security:

- Building hardening;
- Threat assessment;
- Training for faculty and staff;
- Communications;
- Interagency coordination; and
- Tasks for the board office including:
 - Develop a plan with the Florida Colleges and K-12 to share information on threats and behavioral risks across systems.
 - Convene meetings of the SUS police chiefs to encourage better coordination across the System regarding safety, threat mitigation, and training.
 - Identify opportunities for collaboration with state law enforcement agencies.
 - Convene a follow-up to the SUS Safety Summit for university staff who work directly with safety, student affairs, and campus preparedness.¹¹

K – 12 School Safety and Security

The Marjory Stoneman Douglas High School Public Safety Commission was established within the FDLE during the 2018 legislative session. The legislation represents a comprehensive approach to identifying and addressing issues presented by the tragedy that occurred at Marjory Stoneman Douglas High School in Parkland, Florida. The Commission was formed to analyze information from the school shooting and other mass violence incidents in the state and address recommendations and safety system improvements.¹² The Commission sunsets July 1, 2026.¹³

One of the early tasks undertaken by the FDLE, in collaboration with the Department of Legal Affairs, was to procure a mobile suspicious activity reporting tool that allows students and the community to relay information anonymously concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to appropriate public safety agencies and school officials. As recommended by students at Marjory Stoneman Douglas High School, the program is named “FortifyFL.” At a minimum, the FDLE must receive reports electronically through the mobile suspicious activity reporting tool.¹⁴

The Department of Education, Office of Safe Schools (OSS) serves as a central repository for school-safety best practices, training standards, and compliance oversight in all matters regarding school safety and security, including prevention efforts, intervention efforts, and emergency preparedness planning.¹⁵

¹⁰ Florida Board of Governors, *SUS Safety Summit*, p. 2, available at <https://www.flbog.edu/wp-content/uploads/2025/10/Safety-Summit-Report-DRAFT.pdf> (last viewed February 9, 2026).

¹¹ *Id.* at 4.

¹² Section 943.687, F.S.; The Florida Department of Law Enforcement, Marjory Stoneman Douglas High School Public Safety Commission, School Safety Commission, available at <https://www.fdle.state.fl.us/MSDHS/Home>, (last viewed February 9, 2026).

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Section 1001.212, F.S.

The OSS has developed and implemented a statewide risk-assessment tool¹⁶, and provides training and technical assistance. The OSS also conducts triennial unannounced compliance inspections of public schools.¹⁷

The OSS has also developed a statewide behavioral threat management operational process, a Florida-specific behavioral threat assessment instrument, and a threat management portal.¹⁸

The Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program

County Sheriffs may provide training for school guardians or school security guards for school district, charter school, private school, child care facility, or security agency employees, either directly or through a contract with another sheriff's office that has established a guardian program.¹⁹ The training program is a standardized statewide curriculum, and each sheriff providing such training must adhere to the course of instruction.²⁰

Each district school board and superintendent must ensure that one or more safe-school officers are assigned to every public school facility in the district, including charter schools, and may use any combination of the statutory options to meet this requirement.²¹

Private schools and licensed child care facilities are authorized to partner with a law enforcement or security agency to establish or assign a safe-school officer to their schools. The private school or child care facility is responsible for any costs associated with implementing a safe-school officer, including training under the Guardian Program. A private school or child care facility electing to establish a safe-school officer must comply with the same statutory requirements for these officers as school districts and charter schools.²²

A sheriff who establishes a program must consult with the FDLE on programmatic guiding principles, practices, and resources, and must certify as school guardians, without the power of arrest, school employees, or certify as school security guards those persons employed by a security agency who meet specified criteria, and who:

- Hold a valid license or are otherwise eligible to possess or carry a concealed firearm.
- After satisfying the requirements, complete a 144-hour training program, consisting of 12 hours of training to improve the school guardian's knowledge and skills necessary to respond to and de-escalate incidents on school premises and;

¹⁶ The Florida Safe Schools Assessment Tool (FSSAT) is a security risk assessment tool that helps school officials identify threats, vulnerabilities, and appropriate safety controls for the schools that they supervise. The FSSAT is the primary physical site security assessment tool used by school officials at each school district and public school site to conduct security assessments. s. 1006.1493, F.S.

¹⁷ Sections 1001.212, and 1006.1493, F.S.

¹⁸ Section 1001.212(11), F.S. See Florida Department of Education, *Behavioral Threat Management*, available at <https://www.fldoe.org/safe-schools/threat-assessment.stml> (last viewed February 9, 2026).

¹⁹ Section 30.15(1)(k), F.S.

²⁰ *Id.*

²¹ Section 1006.12, F.S.

²² Section 1002.42(20) and 402.305(20), F.S.

- 132 total hours of comprehensive firearm safety and proficiency training conducted by Criminal Justice Standards and Training Commission-certified instructors, which must include:
 - Eighty hours of firearms instruction based on the Criminal Justice Standards and Training Commission's Law Enforcement Academy training model, which must include at least 10 percent but no more than 20 percent more rounds fired than associated with academy training. Program participants must achieve an 85 percent pass rate on the firearms training.
 - Sixteen hours of instruction in precision pistol;
 - Eight hours of discretionary shooting instruction using state-of-the-art simulator exercises;
 - Sixteen hours of instruction in active shooter or assailant scenarios;
 - Eight hours of instruction in defensive tactics; and
 - Four hours of instruction in legal issues.
- Pass a psychological evaluation administered by a licensed psychologist and designated by the FDLE and submit the results of the evaluation to the sheriff's office. The FDLE is authorized to provide the sheriff's office with mental health and substance abuse data for compliance with this requirement.
- Submit to and pass an initial drug test and subsequent random drug tests in accordance with statute and the sheriff's office.
- Successfully complete ongoing training, weapon inspection, and firearm qualification on at least an annual basis.²³

A person who is certified may serve as a school guardian, only if he or she is appointed by the applicable school district superintendent, charter school principal, private school head of school, or child care facility owner.

The FDLE must maintain a list of all individuals appointed as school guardians or employed as school security guards that includes name, certification date, date of appointment, including the name of the school, information reported by the Department of Education related to a safe-school officer discharging their firearms or being subject to discipline, and end date of appointment, if applicable. The FDLE must remove anyone from the list whose required guardian training has expired.²⁴ School districts are required to review the list maintained by the FDLE prior to appointing an individual as a school guardian or school security guard.²⁵

Safe-school officer options include:

- *School resource officer (SRO)*. A district may establish an SRO program by agreement with a law enforcement agency; SROs must be certified law enforcement officers, undergo criminal background checks, drug testing, and a psychological evaluation, abide by district policies, and coordinate with the principal while remaining employees of the law enforcement agency.²⁶

²³ Section 30.15(1)(k)2., F.S.

²⁴ F.S. 30.15(1)(k)3.c., F.S.

²⁵ F. S. 1006.12(3)(b), F.S.

²⁶ Section 1006.12(1)(a)–(b), F.S.

- *School safety officer.* A district may commission one or more school safety officers who are certified law enforcement officers employed by a law enforcement agency or by the district; safety officers have arrest authority on school property and authority to carry weapons while on duty.²⁷
- *School guardian.* A district or charter governing board may participate in the state guardian program; eligible employees who complete the statutory requirements and are certified by the sheriff may serve as school guardians.²⁸
- *School security guard.* A district or charter governing board may contract with a licensed security agency to provide a school security guard who holds Class “D” and Class “G” licenses and meets statutory training, screening, approval, and ongoing qualification requirements.²⁹

Sworn law-enforcement officers serving as safe-school officers (school resource officers and school safety officers) must complete mental-health crisis-intervention training using a nationally developed curriculum.³⁰ School guardians and school security guards must complete the sheriff-conducted 144-hour guardian training program, which includes de-escalation and comprehensive firearms safety and proficiency, with security guards also subject to screening and ongoing qualification requirements.³¹

K-12 Student Records

Section 1003.25, F.S., requires that a public K-12 student’s cumulative record be maintained at his or her current school and should the student transfer schools, that the record be transferred also within five school days.³² The records must include, if applicable:

- Verified reports of serious or recurrent behavior patterns, including any threat assessment report, all corresponding documentation, and any other information required by the Florida-specific behavioral threat assessment instrument which contains the evaluation, intervention, and management of the threat assessment evaluations and intervention services.
- Psychological evaluations, including therapeutic treatment plans and therapy or progress notes created or maintained by school district or charter school staff, as appropriate.³³

²⁷ Section 1006.12(2), F.S.

²⁸ Section 1006.12(3), F.S.; s. 30.15(1)(k), F.S.

²⁹ Section 1006.12(4)(a)–(c), F.S.; Chapter 493, F.S.

³⁰ Section 1006.12(4)(a)–(c), F.S.; Chapter 493, F.S.

³¹ Section 30.15(1)(k)2.b., F.S.; s. 1006.12(4)(a)1.-5., F.S.; s. 30.15(1)(k)2.e., F.S.

³² Section 1003.25, F.S.

³³ Section 1003.25(2), F.S.

Possession of or Discharging a Firearm on School Property

A person is prohibited from willfully and knowingly possessing any firearm,³⁴ electric weapon or device,³⁵ destructive device,³⁶ or other weapon³⁷ on the property of any school,³⁸ school bus, or school bus stop, except as authorized in support of school-sanctioned activities.³⁹ A violation is punishable as a third degree felony,⁴⁰ except that a person who is authorized to carry a concealed weapon or concealed firearm is subject only to a second degree misdemeanor.⁴¹ A person who discharges a weapon or firearm at a school-sanctioned event or on the property of any school, school bus, or school bus stop is subject to a second degree felony⁴² regardless of whether he or she is authorized to carry a concealed weapon or concealed firearm, unless such weapon or firearm was discharged for lawful defense of himself, herself, or another person.⁴³

A violation for discharging a weapon or firearm at a school is ranked as a level 6 offense on the offense severity ranking chart (OSRC).⁴⁴ Felony offenses which are subject to the Criminal Punishment Code⁴⁵ are listed in the OSRC,⁴⁶ which uses 10 offense levels to rank felonies from

³⁴ “Firearm” means any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. The term “firearm” does not include an antique firearm unless the antique firearm is used in the commission of a crime. s. 790.001(9), F.S.

³⁵ “Electric weapon or device” means any device which, through the application or use of electrical current, is designed, redesigned, used, or intended to be used for offensive or defensive purposes, the destruction of life, or the infliction of injury. s. 790.001(7), F.S.

³⁶ “Destructive device” means any bomb, grenade, mine, rocket, missile, pipebomb, or similar device containing an explosive, incendiary, or poison gas and includes any frangible container filled with an explosive, incendiary, explosive gas, or expanding gas, which is designed or so constructed as to explode by such filler and is capable of causing bodily harm or property damage; any combination of parts either designed or intended for use in converting any device into a destructive device and from which a destructive device may be readily assembled; any device declared a destructive device by the Bureau of Alcohol, Tobacco, and Firearms; any type of weapon which will, is designed to, or may readily be converted to expel a projectile by the action of any explosive and which has a barrel with a bore of one-half inch or more in diameter; and ammunition for such destructive devices, but not including shotgun shells or any other ammunition designed for use in a firearm other than a destructive device. The section provides exceptions to what constitutes a “destructive device.”

³⁷ “Weapon” means any dirk, knife, metallic knuckles, slungshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon except a firearm or a common pocketknife, plastic knife, or blunt-bladed table knife. s. 790.001(20), F.S.

³⁸ “School” means any preschool, elementary school, middle school, junior high school, secondary school, career center, or postsecondary school. s. 790.115(2)(a), F.S.

³⁹ A person may carry a firearm at a school or school-related location:

- In a case to a firearms program, class or function which has been approved in advance by the principal or chief administrative officer of the school as a program or class to which firearms could be carried;
 - In a case to a career center having a firearms training range; or
 - In a vehicle pursuant to s. 790.25(4), F.S., except that school districts may adopt written and published policies that waive the exception in this subparagraph for purposes of student and campus parking privileges.
- s. 790.115(2)(a)1.–3., F.S.

⁴⁰ A third degree felony is punishable by up to five years imprisonment and a \$5,000 fine. ss. 775.082, 775.083, or 775.084, F.S.

⁴¹ A second degree misdemeanor is punishable by up to 60 days in jail and a \$500 fine. ss. 775.082 or 775.083, F.S.

⁴² A second degree felony is punishable by up to 15 years imprisonment and a \$10,000 fine. ss. 775.082, 775.083, or 775.084, F.S.

⁴³ Section 790.115(2)(d), F.S.

⁴⁴ Section 921.0022(3)(f), F.S.

⁴⁵ All felony offenses, with the exception of capital felonies, committed on or after October 1, 1998, are subject to the Criminal Punishment Code. s. 921.002, F.S.

⁴⁶ s. 921.0022, F.S.

least severe to most severe. Each felony offense listed in the OSRC is assigned a level according to the severity of the offense.^{47, 48} A person's primary offense, any other current offenses, and prior convictions are scored using the points designated for the offense severity level of each offense.^{49, 50} The final score calculation, following the scoresheet formula, determines the lowest permissible sentence that a trial court may impose, absent a valid reason for departure.⁵¹

Carrying a Concealed Weapon or Firearm With or Without a License

The Department of Agriculture and Consumer Services (DACS) is statutorily authorized to issue concealed weapon and concealed firearm licenses to applicants who qualify.⁵² For purposes of the concealed carry licensure law, "concealed weapons or concealed firearms" means a handgun, electronic weapon or device, tear gas gun, knife, or billie, but not a machine gun.⁵³

A person is authorized to carry a concealed weapon or concealed firearm⁵⁴ if he or she is:

- Licensed under s. 790.06, F.S.; *or*
- Not licensed under s. 790.06, F.S., *but* otherwise satisfies the criteria for receiving and maintaining such a license.⁵⁵

A person who carries a concealed weapon or concealed firearm without a license⁵⁶ must carry valid identification at all times when he or she is in actual possession of a concealed weapon or concealed firearm and must display such identification upon demand by a law enforcement officer.⁵⁷ The person must also abide by s. 790.06(12), F.S., in the same manner as a person who is licensed to carry a concealed weapon or concealed firearm.⁵⁸

⁴⁷ Section 921.0022(2), F.S.

⁴⁸ Felony offenses that are not listed in the OSRC default to statutorily assigned levels, as follows: an unlisted third degree felony defaults to a level 1; an unlisted second degree felony defaults to a level 4; an unlisted first degree felony defaults to a level 7; an unlisted first degree felony punishable by life defaults to a level 9; and an unlisted life felony defaults to a level 10. s. 921.0023, F.S.

⁴⁹ ss. 921.0022, F.S. and 921.0024, F.S.

⁵⁰ A person may also accumulate points for factors such as victim injury points, community sanction violation points, and certain sentencing multipliers. s. 921.0024(1), F.S.

⁵¹ If a person scores more than 44 points, the lowest permissible sentence is a specified term of months in state prison, determined by a formula. If a person scores 44 points or fewer, the court may impose a nonprison sanction, such as a county jail sentence, probation, or community control. s. 921.0024(2), F.S.

⁵² Section 790.06(1), F.S.

⁵³ *Id.*

⁵⁴ "Concealed weapon or firearm" as defined in s. 790.06, F.S., means a handgun, electric weapon or device, tear gas gun, knife, or billie, but does not include a machine gun as that term is defined in s. 790.001, F.S.

⁵⁵ Section 790.06(2)(a)-(f) and (i)-(n), (3), and (10), F.S.

⁵⁶ Section 790.01(1)(b), F.S.

⁵⁷ Section 790.013, F.S.

⁵⁸ Section 790.06(12)(a), F.S., lists the locations where a person is not authorized to openly carry a handgun (defined in s. 790.001(10), F.S. as a firearm capable of being carried and used by one hand, such as a pistol or revolver) or carry a concealed weapon or concealed firearm.

Limitations on the Concealed Carrying of a Firearm or Weapon for Licensees and Authorized Persons

Persons who hold a valid license to carry a concealed weapon or firearm are statutorily authorized to carry a handgun,⁵⁹ electronic weapon or device,⁶⁰ tear gas gun,⁶¹ knife,⁶² or billie in a concealed manner.⁶³

Section 790.06(12), F.S., sets forth the following limitations on the concealed carry statutory authorization. A license issued under this section does *not* authorize any person to openly carry a handgun or carry a concealed weapon or firearm into:

- Any place of nuisance as defined in s. 823.05, F.S.;
- Any police, sheriff, or highway patrol station;
- Any detention facility, prison, or jail;
- Any courthouse;
- Any courtroom, except that nothing in this section would preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his or her courtroom;
- Any polling place;
- Any meeting of the governing body of a county, public school district, municipality, or special district;
- Any meeting of the Legislature or a committee thereof;
- Any school, college, or professional athletic event not related to firearms;
- Any elementary or secondary school facility or administration building;
- Any career center;
- Any portion of an establishment licensed to dispense alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to such purpose;
- Any college or university facility unless the licensee is a registered student, employee, or faculty member of such college or university and the weapon is a stun gun or nonlethal electric weapon or device designed solely for defensive purposes and the weapon does not fire a dart or projectile;
- The inside of the passenger terminal and sterile area of any airport, provided that no person may be prohibited from carrying any legal firearm into the terminal, which firearm is encased for shipment for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; or

⁵⁹ “Handgun” means a firearm capable of being carried and used by one hand, such as a pistol or revolver. s. 790.001(10), F.S.

⁶⁰ “Electric weapon or device” means any device which, through the application or use of electrical current, is designed, redesigned, used, or intended to be used for offensive or defensive purposes, the destruction of life, or the infliction of injury. s. 790.001(14), F.S.

⁶¹ “Tear gas gun” or “chemical weapon or device” means any weapon of such nature, except a device known as a “self-defense chemical spray.” “Self-defense chemical spray” means a device carried solely for purposes of lawful self-defense that is compact in size, designed to be carried on or about the person, and contains not more than two ounces of chemical. s. 790.001(3)(b), F.S.

⁶² “Knife” is defined as what it is *not* in s. 790.001(13), F.S.: “Weapon” means...or other deadly weapon *except*...a common pocketknife, plastic knife, or blunt-bladed table knife.

⁶³ Section 790.06(1), F.S.

- Any place where the carrying of firearms is prohibited by federal law.⁶⁴

III. Effect of Proposed Changes:

Safety and Security of Postsecondary Institutions (Section 8)

The bill creates s. 1006.601, F.S., relating to student safety. The new section provides:

- Authority to participate in the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program and appoint certified school guardians.
- Each public post secondary educational institution must:
 - Adopt an active assailant response plan including methods for issuing campus-wide alerts, and annual certification that all faculty, staff, and students have completed active assailant preparedness training.
 - Adopt, in cooperation with local law enforcement agencies and local government, a family reunification plan in cooperation with local law enforcement agencies and local government in case of manmade or natural disaster. Reunification plan requires annual review and update if necessary.
 - Train faculty to detect and respond to student mental health needs.
 - Post on its website a mental health awareness and suicide prevention sign.
 - Establish threat management teams to coordinate resources and assessment and intervention with students whose behavior may pose a threat to the safety of the institution, institution staff, or students. Teams must utilize the statewide behavioral threat management operational process and Florida-specific behavioral threat assessment instrument developed by the Office of Safe Schools or another comparable tool deemed appropriate for postsecondary institutions.
- In collaboration with appropriate public safety agencies, annually conduct security risk assessments at each campus using the Florida Safe Schools Assessment Tool or a comparable tool deemed appropriate for postsecondary institutions by the State Board of Education and Board of Governors.

The bill provides rulemaking and regulation-adopting authority to The State Board of Education and the Board of Governors to implement s. 1006.601, F.S.

Training Provided by School Safety Specialist (Section 7)

The bill amends s. 1006.07, F.S., to provide that training provided by the school safety specialist for classroom teachers and other instructional staff must explain the purpose, importance, and proper execution of school safety protocols and emergency procedures.

⁶⁴ Section 790.06(12)(a), F.S.

Transferring Student Records to Public Postsecondary Institutions (Section 6)

Section 1003.25, F.S., is amended to require that a student's specified records follow such student to a Florida College System institution or state university should he or she enroll there.

Such records include verified reports of serious or recurrent behavior patterns and psychological evaluations.

Guardian Program in Public Postsecondary Institutions (Section 1)

The bill amends s. 30.15, F.S., to authorize local sheriffs to provide employees and faculty from the following institutions access to the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel school Guardian Program:

- Public postsecondary educational institutions;
- Workforce education;
- Florida College System Institutions;
- State universities; and
- All other state-supported postsecondary educational institutions.

Promoting the Use of FortifyFL within Public Postsecondary Institutions (Section 5)

The bill amends s. 943.082, F.S., to require public postsecondary educational institutions to be made aware of and promote the use of the mobile suspicious activity reporting tool (FortifyFL) by:

- Advertising it on the institution website,
- Installing it on all mobile devices issued by the institution, and
- Bookmarking the website on all computer devices maintained by the institution.

Exception to Prohibition of Firearms in any College or University Facility (Section 2)

The bill amends s. 790.06(12), F.S., to provide an exception from the prohibition against openly carrying a handgun or carrying a concealed weapon or concealed firearm into any college or university facility. The exception applies to:

- An employee or faculty member of such college or university who is not a registered student of such college or university; or
- A registered student of such college or university who is an employee or faculty member of the college or university. This provision applies to a registered student at times during which he or she is performing the duties of his or her position as an employee or faculty member of the college or university.

Discharging a Weapon or Firearm at or 1,000 Away from a School (Section 3 and 4)

The bill amends s. 790.115, F.S., to create a second degree felony offense if a person possesses any firearm, electric weapon or device, destructive device, or other weapon, including a razor blade or box cutter, except as authorized in support of school-sanctioned activities, at a school-sponsored event or on the property of any school, school bus, or school bus stop *and* he or she

discharges any weapon or firearm within 1,000 feet of a school, during school hours or during the time of a sanctioned school activity, unless discharged for lawful defense of himself or herself or another or for a lawful purpose.

This provision does not apply to the discharge of a weapon or firearm on private real property within 1,000 feet of a school by the owner of such property or by a person whose presence on such property has been authorized, licensed, or invited by the owner.

Additionally, as of October 1, 2026, when this bill section becomes effective, the new second degree felony offense is designated as Level 6 offense in the Criminal Punishment Code offense severity ranking chart.

The bill also provides that a person arrested for the new second degree felony, or the existing second degree felony of discharging a weapon while unlawfully possessing a weapon on school property must be held in custody until brought before the court for admittance to bail in accordance with ch. 903, F.S.

The bill takes effect upon becoming a law except for Sections 3 and 4 of the bill which take effect on October 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 authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The FDLE expects \$189,812 fiscal impact to the Department, \$12,676 of which is nonrecurring funds. These expenditures relate to potential additional information reported to and maintained by the FDLE due to the expansion of the number of school guardians or school security guards that may result from the addition of public postsecondary educational institutions to the guardian program.⁶⁵

It appears that the public postsecondary educational institutions may incur costs attached to adopting and implementing s. 1006.601, F.S., the comprehensive plan for the safety and security of students, faculty, and staff of public postsecondary educational institutions provided for in the bill. Specifically, the educational institutions will be participating in reporting annual security risk assessments at each campus using the Florida Safe Schools Assessment Tool or a comparable tool, creating and updating active assailant response plans, and expanded mental health training and threat management processes at participating public colleges and universities.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 30.15, 790.06, 790.115, 921.0022, 943.082, 1003.25, 1006.07, 1006.601, 402.305, 790.013, 843.08, 943.03, 1001.212, 1006.12

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.

⁶⁵ 2026 FDLE Legislative Bill Analysis, January 27, 2026; on file with the Senate Criminal Justice Committee.



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LEGISLATIVE ACTION

Senate

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House

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

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (k) of subsection (1) of section
30.15, Florida Statutes, is amended to read:

30.15 Powers, duties, and obligations.—

(1) Sheriffs, in their respective counties, in person or by
deputy, shall:

(k) Assist district school boards and charter school



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governing boards in complying with, or private schools or child care facilities, as defined in s. 402.302, in exercising options in, s. 1006.12. A sheriff must also assist public postsecondary educational institutions, as described in s. 1000.04(3), in implementing a guardian program under s. 1006.601. A sheriff shall, at a minimum, provide access to a Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program to aid in the prevention or abatement of active assailant incidents on school premises, as required under this paragraph. Persons certified as school guardians pursuant to this paragraph have no authority to act in any law enforcement capacity except to the extent necessary to prevent or abate an active assailant incident.

1.a. If a local school board has voted by a majority to implement a guardian program or has contracted for the use of school security guards to satisfy the requirements of s. 1006.12, the sheriff in that county must establish a guardian program to provide training for school guardians or school security guards, pursuant to subparagraph 2., to school district, charter school, public postsecondary educational institution, private school, child care facility, or security agency employees, either directly or through a contract with another sheriff's office that has established a guardian program. The security agency employing a school security guard is responsible for all training and screening-related costs for a school security guard, but such charges may not exceed the actual cost incurred by the sheriff to provide the training.

b. A public postsecondary educational institution or charter school governing board in a school district that has not



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voted, or has declined, to implement a guardian program may request the sheriff in the county to establish a guardian program for the purpose of training the public postsecondary educational institution or charter school employees or school security guards consistent with the requirements of subparagraph 2. If the county sheriff denies the request, the public postsecondary educational institution or charter school governing board may contract with a sheriff that has established a guardian program to provide such training. The charter school governing board must notify the superintendent and the sheriff in the charter school's county of the contract prior to its execution. The public postsecondary educational institution must notify the sheriff in the public postsecondary educational institution's county of the contract prior to its execution. The security agency employing a school security guard is responsible for all training and screening-related costs for a school security guard, but such charges may not exceed the actual cost incurred by the sheriff to provide the training.

c. A private school or child care facility in a school district that has not voted, or has declined, to implement a guardian program may request that the sheriff in the county of the private school or child care facility establish a guardian program for the purpose of training private school employees, child care facility employees, or school security guards. If the county sheriff denies the request, the private school or child care facility may contract with a sheriff from another county who has established a guardian program under subparagraph 2. to provide such training. The private school or child care facility must notify the sheriff in the private school's or child care



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69 facility's county of the contract with a sheriff from another
70 county before its execution. The private school, child care
71 facility, or security agency is responsible for all training and
72 screening-related costs for a school guardian program. The
73 sheriff providing such training must ensure that any moneys paid
74 by a private school, child care facility, or security agency are
75 not commingled with any funds provided by the state to the
76 sheriff as reimbursement for screening-related and training-
77 related costs of any school district or charter school employee.

78 d. The training program required in sub-subparagraph 2.b.
79 is a standardized statewide curriculum, and each sheriff
80 providing such training shall adhere to the course of
81 instruction specified in that sub-subparagraph. This
82 subparagraph does not prohibit a sheriff from providing
83 additional training. A school guardian or school security guard
84 who has completed the training program required in sub-
85 subparagraph 2.b. may not be required to attend another
86 sheriff's training program pursuant to that sub-subparagraph
87 unless there has been at least a 1-year break in his or her
88 appointment as a guardian or employment by a security agency as
89 a school security guard in a school.

90 e. The sheriff conducting the training pursuant to
91 subparagraph 2. for school district, ~~and~~ charter school, or
92 public postsecondary educational institution employees will be
93 reimbursed for screening-related and training-related costs and
94 for providing a one-time stipend of \$500 to each school guardian
95 who participates in the school guardian program.

96 f. The sheriff may waive the training and screening-related
97 costs for a private school or child care facility for a school



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guardian program. Funds provided pursuant to sub-subparagraph e. may not be used to subsidize any costs that have been waived by the sheriff. The sheriff may not waive the training and screening-related costs required to be paid by a security agency for initial training or ongoing training of a school security guard.

g. A person who is certified and in good standing under the Florida Criminal Justice Standards and Training Commission, who meets the qualifications established in s. 943.13, and who is otherwise qualified for the position of a school guardian or school security guard may be certified as a school guardian or school security guard by the sheriff without completing the training requirements of sub-subparagraph 2.b. However, a person certified as a school guardian or school security guard under this sub-subparagraph must meet the requirements of sub-subparagraphs 2.c.-e.

2. A sheriff who establishes a program shall consult with the Department of Law Enforcement on programmatic guiding principles, practices, and resources, and shall certify as school guardians, without the power of arrest, school employees, as specified in s. 1006.12(3), or shall certify as school security guards those persons employed by a security agency who meet the criteria specified in s. 1006.12(4), and who:

a. Hold a valid license issued under s. 790.06 or are otherwise eligible to possess or carry a concealed firearm under chapter 790.

b. After satisfying the requirements of s. 1006.12(7), complete a 144-hour training program, consisting of 12 hours of training to improve the school guardian's knowledge and skills



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necessary to respond to and de-escalate incidents on school premises and 132 total hours of comprehensive firearm safety and proficiency training conducted by Criminal Justice Standards and Training Commission-certified instructors, which must include:

(I) Eighty hours of firearms instruction based on the Criminal Justice Standards and Training Commission's Law Enforcement Academy training model, which must include at least 10 percent but no more than 20 percent more rounds fired than associated with academy training. Program participants must achieve an 85 percent pass rate on the firearms training.

(II) Sixteen hours of instruction in precision pistol.

(III) Eight hours of discretionary shooting instruction using state-of-the-art simulator exercises.

(IV) Sixteen hours of instruction in active shooter or assailant scenarios.

(V) Eight hours of instruction in defensive tactics.

(VI) Four hours of instruction in legal issues.

c. Pass a psychological evaluation administered by a psychologist licensed under chapter 490 and designated by the Department of Law Enforcement and submit the results of the evaluation to the sheriff's office. The Department of Law Enforcement is authorized to provide the sheriff's office with mental health and substance abuse data for compliance with this paragraph.

d. Submit to and pass an initial drug test and subsequent random drug tests in accordance with the requirements of s. 112.0455 and the sheriff's office.

e. Successfully complete ongoing training, weapon inspection, and firearm qualification on at least an annual



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basis.

The sheriff who conducts the guardian training or waives the training requirements for a person under sub-subparagraph 1.g. shall issue a school guardian certificate to persons who meet the requirements of this section to the satisfaction of the sheriff, and shall maintain documentation of weapon and equipment inspections, as well as the training, certification, inspection, and qualification records of each school guardian certified by the sheriff. A person who is certified under this paragraph may serve as a school guardian under s. 1006.12(3) only if he or she is appointed by the applicable school district superintendent, charter school principal, public postsecondary educational institution president, private school head of school, or child care facility owner. A sheriff who conducts the training for a school security guard or waives the training requirements for a person under sub-subparagraph 1.g. and determines that the school security guard has met all the requirements of s. 1006.12(4) shall issue a school security guard certificate to persons who meet the requirements of this section to the satisfaction of the sheriff and shall maintain documentation of weapon and equipment inspections, training, certification, and qualification records for each school security guard certified by the sheriff.

3.a. Within 30 days after issuing a school guardian or school security guard certificate, the sheriff who issued the certificate must report to the Department of Law Enforcement the name, date of birth, and certification date of the school guardian or school security guard.



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b. By February 1 and September 1 of each school year, each school district, charter school, employing security agency, public postsecondary educational institution, private school, and child care facility must report in the manner prescribed to the Department of Law Enforcement the name, date of birth, and appointment date of each person appointed as a school guardian or employed as a school security guard. The school district, charter school, employing security agency, public postsecondary educational institution, private school, and child care facility must also report in the manner prescribed to the Department of Law Enforcement the date each school guardian or school security guard separates from his or her appointment as a school guardian or employment as a school security guard in a school.

c. The Department of Law Enforcement shall maintain a list of each person appointed as a school guardian or certified as a school security guard in the state. The list must include the name and certification date of each school guardian and school security guard and the date the person was appointed as a school guardian or certified as a school security guard, including the name of the school district, charter school, public postsecondary educational institution, private school, or child care facility in which the school guardian is appointed, or the employing security agency of a school security guard, any information provided pursuant to s. 1006.12(5), and, if applicable, the date such person separated from his or her appointment as a school guardian or the last date a school security guard served in a school as of the last reporting date. The Department of Law Enforcement shall remove from the list any person whose training has expired pursuant to sub-subparagraph



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1.d.

d. Each sheriff shall report on a quarterly basis to the Department of Law Enforcement the schedule for upcoming school guardian trainings, to include guardian trainings for school security guards, including the dates of the training, the training locations, a contact person to register for the training, and the class capacity. If no trainings are scheduled, the sheriff is not required to report to the Department of Law Enforcement. The Department of Law Enforcement shall publish on its website a list of the upcoming school guardian trainings. The Department of Law Enforcement shall update such list quarterly.

e. A sheriff who fails to report the information required by this subparagraph may not receive reimbursement from the Department of Education for school guardian trainings. Upon the submission of the required information, a sheriff is deemed eligible for such funding and is authorized to continue to receive reimbursement for school guardian training.

f. A school district, charter school, public postsecondary educational institution, private school, child care facility, or employing security agency that fails to report the information required by this subparagraph is prohibited from operating a school guardian program or employing school security guards in the following school year unless the missing information is provided.

g. By March 1 and October 1 of each school year, the Department of Law Enforcement shall notify the Department of Education of any sheriff, school district, charter school, public postsecondary educational institution, private school, or



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child care facility that has not complied with the reporting requirements of this subparagraph.

h. The Department of Law Enforcement may adopt rules to implement the requirements of this subparagraph, including requiring additional reporting information only as necessary to uniquely identify each school guardian and school security guard reported.

Section 2. Effective October 1, 2026, paragraph (d) of subsection (2) of section 790.115, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

790.115 Possessing or discharging weapons or firearms at a school-sponsored event or on school property prohibited; penalties; exceptions.—

(2)

(d) A person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she: who

1. Discharges any weapon or firearm while in violation of paragraph (a), unless discharged for lawful defense of himself or herself or another or for a lawful purpose; or

2. Discharges any weapon or firearm within 1,000 feet of a school, during school hours or during the time of a sanctioned school activity, unless discharged for lawful defense of himself or herself or another or for a lawful purpose. This subparagraph does not apply to the discharge of a weapon or firearm on private real property within 1,000 feet of a school by the owner of such property or by a person whose presence on such property has been authorized, licensed, or invited by the owner, commits a felony of the second degree, punishable as provided in s.



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~~775.082, s. 775.083, or s. 775.084.~~

(4) A person arrested for a violation of paragraph (2)(d) must be held in custody until brought before the court for admittance to bail in accordance with chapter 903.

Section 3. Effective October 1, 2026, paragraph (f) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(f) LEVEL 6

Florida Statute	Felony Degree	Description
316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
327.30(5)(a)3.	2nd	Vessel accidents involving serious bodily injury; leaving scene.



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400.9935(4)(c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
499.0051(2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
499.0051(3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
499.0051(4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
775.0875(1)	3rd	Taking firearm from law enforcement officer.
784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
784.041	3rd	Felony battery; domestic battery by strangulation.



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298

784.048 (3) 3rd Aggravated stalking; credible threat.

299

784.048 (5) 3rd Aggravated stalking of person under 16.

300

784.07 (2) (c) 2nd Aggravated assault on law enforcement officer.

301

784.074 (1) (b) 2nd Aggravated assault on sexually violent predators facility staff.

302

784.08 (2) (b) 2nd Aggravated assault on a person 65 years of age or older.

303

784.081 (2) 2nd Aggravated assault on specified official or employee.

304

784.082 (2) 2nd Aggravated assault by detained person on visitor or other detainee.

305

784.083 (2) 2nd Aggravated assault on code inspector.

787.02 (2) 3rd False imprisonment; restraining with purpose other than those in s. 787.01.



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306			
	787.025 (2) (a)	3rd	Luring or enticing a child.
307			
	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property <u>or within</u> <u>1,000 feet of a school.</u>
308			
	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
309			
	790.164 (1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.
310			
	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
311			
	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
312			
	794.05 (1)	2nd	Unlawful sexual activity with specified minor.



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313	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.
314	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
315	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
316	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
317	810.145 (8) (b)	2nd	Digital voyeurism; certain minor victims; 2nd or subsequent offense.
318	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
319	812.014 (2) (c) 5.	3rd	Grand theft; third degree; firearm.
320	812.014 (6)	2nd	Theft; property stolen \$3,000



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or more; coordination of
others.

321

812.015 (9) (a) 2nd Retail theft; property stolen
\$750 or more; second or
subsequent conviction.

322

812.015 (9) (b) 2nd Retail theft; aggregated
property stolen within 120 days
is \$3,000 or more; coordination
of others.

323

812.015 (9) (d) 2nd Retail theft; multiple thefts
within specified period.

324

812.015 (9) (e) 2nd Retail theft; committed with
specified number of other
persons and use of social media
platform.

325

812.13 (2) (c) 2nd Robbery, no firearm or other
weapon (strong-arm robbery).

326

817.4821 (5) 2nd Possess cloning paraphernalia
with intent to create cloned
cellular telephones.

327

817.49 (2) (b) 2. 2nd Willful making of a false
report of a crime resulting in



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death.

817.505 (4) (b) 2nd Patient brokering; 10 or more patients.

817.5695 (3) (b) 2nd Exploitation of person 65 years of age or older, value \$10,000 or more, but less than \$50,000.

825.102 (1) 3rd Abuse of an elderly person or disabled adult.

825.102 (3) (c) 3rd Neglect of an elderly person or disabled adult.

825.1025 (3) 3rd Lewd or lascivious molestation of an elderly person or disabled adult.

825.103 (3) (c) 3rd Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.

827.03 (2) (c) 3rd Abuse of a child.

827.03 (2) (d) 3rd Neglect of a child.

827.071 (5) 3rd Possess, control, or intentionally view any



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photographic material, motion
picture, etc., which includes
child pornography.

828.126(3)

3rd

Sexual activities involving
animals.

836.05

2nd

Threats; extortion.

836.10

2nd

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

843.12

3rd

Aids or assists person to
escape.

847.011

3rd

Distributing, offering to
distribute, or possessing with
intent to distribute obscene
materials depicting minors.

847.012

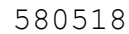
3rd

Knowingly using a minor in the
production of materials harmful
to minors.

847.0135(2)

3rd

Facilitates sexual conduct of
or with a minor or the visual
depiction of such conduct.





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951.22(1)(i) 3rd Firearm or weapon introduced
into county detention facility.

Section 4. Paragraph (a) of subsection (4) of section
943.082, Florida Statutes, is amended, and paragraph (c) is
added to that subsection, to read:

943.082 School Safety Awareness Program.—

(4)(a) Law enforcement dispatch centers, school districts,
schools, postsecondary institutions, and other entities
identified by the department must be made aware of the mobile
suspicious activity reporting tool.

(c) Each public postsecondary educational institution, as
defined in s. 1000.04(3), shall promote the use of the mobile
suspicious activity reporting tool by advertising it on the
institution website, by installing it on all mobile devices
issued by the institution, and by bookmarking the website on all
computer devices maintained by the institution.

Section 5. Subsection (4) is added to section 1003.25,
Florida Statutes, and subsection (2) of that section is
republished, to read:

1003.25 Procedures for maintenance and transfer of student
records.—

(2) The procedure for transferring and maintaining records
of students who transfer from school to school is prescribed by
rules of the State Board of Education. The transfer of records
must occur within 5 school days. The records must include, if



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applicable:

(a) Verified reports of serious or recurrent behavior patterns, including any threat assessment report, all corresponding documentation, and any other information required by the Florida-specific behavioral threat assessment instrument pursuant to s. 1001.212(11) which contains the evaluation, intervention, and management of the threat assessment evaluations and intervention services.

(b) Psychological evaluations, including therapeutic treatment plans and therapy or progress notes created or maintained by school district or charter school staff, as appropriate.

(4) When the education records of a student contain the documents described in subsection (2) and the student enrolls in a Florida College System institution or state university, such records must be transferred to his or her institution or university of enrollment. The State Board of Education and the Board of Governors shall adopt rules and regulations, respectively, to establish the procedures for the transfer of a student's threat assessment report pursuant to this subsection.

Section 6. Paragraph (a) of subsection (6) of section 1006.07, Florida Statutes, is amended to read:

1006.07 District school board duties relating to student discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(6) SAFETY AND SECURITY BEST PRACTICES.—Each district



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school superintendent shall establish policies and procedures for the prevention of violence on school grounds, including the assessment of and intervention with individuals whose behavior poses a threat to the safety of the school community.

(a) *School safety specialist.*—Each district school superintendent shall designate a school safety specialist for the district. The school safety specialist must be a school administrator employed by the school district or a law enforcement officer employed by the sheriff's office located in the school district. Any school safety specialist designated from the sheriff's office must first be authorized and approved by the sheriff employing the law enforcement officer. Any school safety specialist designated from the sheriff's office remains the employee of the office for purposes of compensation, insurance, workers' compensation, and other benefits authorized by law for a law enforcement officer employed by the sheriff's office. The sheriff and the school superintendent may determine by agreement the reimbursement for such costs, or may share the costs, associated with employment of the law enforcement officer as a school safety specialist. The school safety specialist must earn a certificate of completion of the school safety specialist training provided by the Office of Safe Schools within 1 year after appointment and is responsible for the supervision and oversight for all school safety and security personnel, policies, and procedures in the school district. The school safety specialist, or his or her designee, shall:

1. In conjunction with the district school superintendent, annually review school district policies and procedures for compliance with state law and rules, including the district's



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timely and accurate submission of school environmental safety incident reports to the department pursuant to s. 1001.212(8). At least quarterly, the school safety specialist must report to the district school superintendent and the district school board any noncompliance by the school district with laws or rules regarding school safety.

2. Provide the necessary training and resources to students and school district staff in matters relating to youth mental health awareness and assistance; emergency procedures, including active shooter training; and school safety and security. Such training for classroom teachers and other members of instructional staff must explain the purpose, importance, and proper execution of school safety protocols and emergency procedures.

3. Serve as the school district liaison with local public safety agencies and national, state, and community agencies and organizations in matters of school safety and security.

4. In collaboration with the appropriate public safety agencies, as that term is defined in s. 365.171, by October 1 of each year, conduct a school security risk assessment at each public school using the Florida Safe Schools Assessment Tool developed by the Office of Safe Schools pursuant to s. 1006.1493. Based on the assessment findings, the district's school safety specialist shall provide recommendations to the district school superintendent and the district school board which identify strategies and activities that the district school board should implement in order to address the findings and improve school safety and security. Each district school board must receive such findings and the school safety



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specialist's recommendations at a publicly noticed district school board meeting to provide the public an opportunity to hear the district school board members discuss and take action on the findings and recommendations. Each school safety specialist, through the district school superintendent, shall report such findings and school board action to the Office of Safe Schools within 30 days after the district school board meeting.

5. Conduct annual unannounced inspections, using the form adopted by the Office of Safe Schools pursuant to s. 1001.212(13), of all public schools, including charter schools, while school is in session and investigate reports of noncompliance with school safety requirements.

6. Report violations of paragraph (f) by administrative personnel and instructional personnel to the district school superintendent or charter school administrator, as applicable.

Section 7. Paragraph (d) is added to subsection (3) of section 1006.12, Florida Statutes, and paragraph (a) of that subsection, paragraph (a) of subsection (4), and subsection (7) of that section are reenacted, to read:

1006.12 Safe-school officers at each public school.—For the protection and safety of school personnel, property, students, and visitors, each district school board and school district superintendent shall partner with law enforcement agencies or security agencies to establish or assign one or more safe-school officers at each school facility within the district, including charter schools. A district school board must collaborate with charter school governing boards to facilitate charter school access to all safe-school officer options available under this



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section. The school district may implement any combination of the options in subsections (1)-(4) to best meet the needs of the school district and charter schools.

(3) SCHOOL GUARDIAN.—

(a) At the school district's or the charter school governing board's discretion, as applicable, pursuant to s. 30.15, a school district or charter school governing board may participate in the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program to meet the requirement of establishing a safe-school officer. The following individuals may serve as a school guardian, in support of school-sanctioned activities for purposes of s. 790.115, upon satisfactory completion of the requirements under s. 30.15(1)(k) and certification by a sheriff:

1. A school district employee or personnel, as defined under s. 1012.01, or a charter school employee, as provided under s. 1002.33(12)(a), who volunteers to serve as a school guardian in addition to his or her official job duties; or

2. An employee of a school district or a charter school who is hired for the specific purpose of serving as a school guardian.

(d) A person who serves as a school guardian may not wear a uniform that identifies him or her as a school guardian.

(4) SCHOOL SECURITY GUARD.—A school district or charter school governing board may contract with a security agency as defined in s. 493.6101(18) to employ as a school security guard an individual who holds a Class "D" and Class "G" license pursuant to chapter 493, provided the following training and contractual conditions are met:



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(a) An individual who serves as a school security guard, for purposes of satisfying the requirements of this section, must:

1. Demonstrate completion of 144 hours of required training conducted by a sheriff pursuant to s. 30.15(1)(k)2.

2. Pass a psychological evaluation administered by a psychologist licensed under chapter 490 and designated by the Department of Law Enforcement and submit the results of the evaluation to the sheriff's office and school district, charter school governing board, or employing security agency, as applicable. The Department of Law Enforcement is authorized to provide the sheriff's office, school district, charter school governing board, or employing security agency with mental health and substance abuse data for compliance with this paragraph.

3. Submit to and pass an initial drug test and subsequent random drug tests in accordance with the requirements of s. 112.0455 and the sheriff's office, school district, charter school governing board, or employing security agency, as applicable.

4. Be approved to work as a school security guard by the sheriff of each county in which the school security guard will be assigned to a school before commencing work at any school in that county. The sheriff's approval authorizes the security agency to assign the school security guard to any school in the county, and the sheriff's approval is not limited to any particular school.

5. Successfully complete ongoing training, weapon inspection, and firearm qualification conducted by a sheriff pursuant to s. 30.15(1)(k)2.e. on at least an annual basis and



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provide documentation to the sheriff's office, school district, charter school governing board, or employing security agency, as applicable.

(7) LIMITATIONS.—An individual must satisfy the background screening, psychological evaluation, and drug test requirements and be approved by the sheriff before participating in any training required by s. 30.15(1)(k), which may be conducted only by a sheriff.

If a district school board, through its adopted policies, procedures, or actions, denies a charter school access to any safe-school officer options pursuant to this section, the school district must assign a school resource officer or school safety officer to the charter school. Under such circumstances, the charter school's share of the costs of the school resource officer or school safety officer may not exceed the safe school allocation funds provided to the charter school pursuant to s. 1011.62(12) and shall be retained by the school district.

Section 8. Section 1006.601, Florida Statutes, is created to read:

1006.601 Student safety.—

(1) DEFINITION.—As used in this section, the term "public postsecondary educational institution" has the same meaning as in s. 1000.04(3).

(2) SCHOOL GUARDIANS.—

(a) Public postsecondary educational institutions are authorized to participate in the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program and may appoint certified school guardians pursuant to s. 30.15(1)(k).



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(b) An employee or faculty member of a public postsecondary educational institution may serve as a school guardian, in support of school-sanctioned activities for purposes of s. 790.115, upon satisfactory completion of the requirements under s. 30.15(1)(k) and certification by a sheriff.

(3) SAFETY AND SECURITY BEST PRACTICES.—

(a) Response plans.—Each public postsecondary educational institution shall:

1. Adopt an active assailant response plan, including methods for issuing campus-wide alerts, and annually certify that all faculty, staff, and students have completed active assailant preparedness training. The plan must clearly identify who may issue an emergency alert.

2. Adopt, in cooperation with local law enforcement agencies and local government, a family reunification plan to reunite students and employees with their families in the event that an institution is closed or unexpectedly evacuated due to a natural or manmade disaster. This reunification plan must be reviewed annually and updated as necessary.

(b) Student mental health.—Each public postsecondary educational institution shall:

1. Train faculty to detect and respond to mental health issues as well as connect students who may experience behavioral health issues with appropriate services, both on campus and in the community, including crisis intervention.

2. Post on its website and in conspicuous locations at each institution a mental health awareness and suicide prevention sign that identifies ways a person can access help and services. Physical signs must be at least 11 inches by 15 inches in size



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and must be printed in an easily legible font and in at least 32-point type.

3. Establish threat management teams whose duties include the coordination of resources and assessment and intervention with students whose behavior may pose a threat to the safety of the institution, institution staff, or students. The threat management team must use the statewide behavioral threat management operational process and Florida-specific behavioral threat assessment instrument developed by the Office of Safe Schools pursuant to s. 1001.212(11) or another comparable tool deemed appropriate for postsecondary institutions by the State Board of Education and the Board of Governors.

The Commissioner of Education and the Chancellor of the State University System shall provide guidance on when and how administrators, mental health providers, and other appropriate personnel are legally entitled to share and receive information about individuals who may be a threat to themselves or others, including, but not limited to, the transmission of education records pursuant to s. 1003.25(4).

(c) Security risk assessment.—Each public postsecondary educational institution shall collaborate with appropriate public safety agencies as defined in s. 365.171(3)(d), and may collaborate with a private sector security consulting firm, to annually conduct a security risk assessment at each campus using the Florida Safe Schools Assessment Tool developed by the Office of Safe Schools pursuant to s. 1006.1493 or another comparable tool deemed appropriate for postsecondary educational institutions by the State Board of Education and the Board of



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Governors. Each public postsecondary educational institution may contract with a private sector security consulting firm that specializes in the facilitation of security risk assessments and has experience in conducting security risk assessments of public facilities to develop, update, and implement a risk assessment tool. Subject to an appropriation, the institution may apply for grant funds for security improvements to its campus based on findings in the security risk assessment and other services deemed appropriate.

(4) RULES AND REGULATIONS.—The State Board of Education and the Board of Governors may adopt rules and regulations, respectively, to implement this section.

Section 9. For the purpose of incorporating the amendment made by this act to section 30.15, Florida Statutes, in a reference thereto, paragraph (a) of subsection (19) of section 402.305, Florida Statutes, is reenacted to read:

402.305 Licensing standards; child care facilities.—

(19) SAFE-SCHOOL OFFICERS.—

(a) A child care facility may partner with a law enforcement agency or a security agency to establish or assign one or more safe-school officers established in s. 1006.12(1)-(4). The child care facility is responsible for the full cost of implementing any such option, which includes all training costs under the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program under s. 30.15(1)(k).

Section 10. For the purpose of incorporating the amendment made by this act to section 30.15, Florida Statutes, in a reference thereto, section 843.08, Florida Statutes, is reenacted to read:



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843.08 False personation.—A person who falsely assumes or pretends to be a firefighter, a sheriff, an officer of the Florida Highway Patrol, an officer of the Fish and Wildlife Conservation Commission, an officer of the Department of Environmental Protection, an officer of the Department of Financial Services, any personnel or representative of the Division of Criminal Investigations, an officer of the Department of Corrections, a correctional probation officer, a deputy sheriff, a state attorney or an assistant state attorney, a statewide prosecutor or an assistant statewide prosecutor, a state attorney investigator, a coroner, a police officer, a lottery special agent or lottery investigator, a beverage enforcement agent, a school guardian as described in s. 30.15(1)(k), a security officer licensed under chapter 493, any member of the Florida Commission on Offender Review or any administrative aide or supervisor employed by the commission, any personnel or representative of the Department of Law Enforcement, or a federal law enforcement officer as defined in s. 901.1505, and takes upon himself or herself to act as such, or to require any other person to aid or assist him or her in a matter pertaining to the duty of any such officer, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. However, a person who falsely personates any such officer during the course of the commission of a felony commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If the commission of the felony results in the death or personal injury of another human being, the person commits a felony of the first degree, punishable as provided in s. 775.082, s.



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775.083, or s. 775.084. In determining whether a defendant has violated this section, the court or jury may consider any relevant evidence, including, but not limited to, whether the defendant used lights in violation of s. 316.2397 or s. 843.081.

Section 11. For the purpose of incorporating the amendment made by this act to section 30.15, Florida Statutes, in a reference thereto, subsection (16) of section 943.03, Florida Statutes, is reenacted to read:

943.03 Department of Law Enforcement.—

(16) Upon request, the department shall consult with sheriffs to provide input regarding programmatic guiding principles, practices, and resources in order to assist in the development and implementation of the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program established pursuant to s. 30.15. Such input and guidance may include, but need not be limited to, standards, curriculum, instructional strategies, evaluation, certification, records retention, equipment, and other resource needs.

Section 12. For the purpose of incorporating the amendments made by this act to sections 943.082 and 1006.07, Florida Statutes, in references thereto, subsections (1), (4), and (10) of section 1001.212, Florida Statutes, are reenacted to read:

1001.212 Office of Safe Schools.—There is created in the Department of Education the Office of Safe Schools. The office is fully accountable to the Commissioner of Education. The office shall serve as a central repository for best practices, training standards, and compliance oversight in all matters regarding school safety and security, including prevention efforts, intervention efforts, and emergency preparedness



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planning. The office shall:

(1) Establish and update as necessary a school security risk assessment tool for use by school districts pursuant to s. 1006.07(6). The office shall make the security risk assessment tool available for use by charter schools. The office shall provide annual training to appropriate school district and charter school personnel on the proper assessment of physical site security and completion of the school security risk assessment tool.

(4) Develop and implement a School Safety Specialist Training Program for school safety specialists appointed pursuant to s. 1006.07(6). The office shall develop the training program which shall be based on national and state best practices on school safety and security and must include active shooter training. The office shall develop training modules in traditional or online formats. A school safety specialist certificate of completion shall be awarded to a school safety specialist who satisfactorily completes the training required by rules of the office.

(10) Disseminate, in consultation with the Department of Law Enforcement, to participating schools awareness and education materials on the proper use of the School Safety Awareness Program developed pursuant to s. 943.082, including the consequences of knowingly submitting false information.

Section 13. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

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

And the title is amended as follows:



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Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to school safety; amending s. 30.15,
F.S.; requiring sheriffs to assist public
postsecondary educational institutions in implementing
guardian programs under certain provisions;
authorizing public postsecondary educational
institutions to participate in the school guardian
program; requiring public postsecondary educational
institutions to provide a specified notice to the
sheriff; amending s. 790.115, F.S.; creating the
offense of discharging a weapon or firearm within
1,000 feet of a school; providing an exception;
providing that a person arrested for certain offenses
must be held in custody until brought before the court
for admittance to bail; amending s. 921.0022, F.S.;
ranking an offense created by the act on the offense
severity ranking chart of the Criminal Punishment
Code; amending s. 943.082, F.S.; requiring that
postsecondary institutions be made aware of the mobile
suspicious activity reporting tool in a specified
manner; requiring public postsecondary educational
institutions to promote the use of such tool; amending
s. 1003.25, F.S.; requiring specified educational
records for certain students to be transferred to a
Florida College System institution or state university
under certain circumstances; requiring the State Board
of Education and the Board of Governors to adopt rules



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and regulations, respectively; amending s. 1006.07, F.S.; requiring certain trainings to include specified information relating to school safety; reenacting and amending s. 1006.12, F.S.; prohibiting a school guardian from wearing an identifying uniform; creating s. 1006.601, F.S.; defining the term "public postsecondary educational institution"; authorizing such institutions to participate in certain programs; authorizing such institutions to appoint certified school guardians; authorizing specified persons to serve as school guardians; requiring such institutions to adopt specified emergency response plans; requiring such institutions to provide specified training, post specified information, and adopt threat management processes; requiring public postsecondary educational institutions to collaborate with certain public safety agencies, and authorizing such institutions to collaborate with private sector security consulting firms, to annually conduct a security risk assessment using a specified assessment tool; authorizing public postsecondary educational institutions to contract with a private sector security consulting firm for a specified purpose; authorizing a public postsecondary educational institution to apply for grant funds for security improvements, subject to appropriation; authorizing the State Board of Education and the Board of Governors to adopt rules and regulations, respectively; reenacting ss. 402.305(19)(a), 843.08, 943.03(16), and 1001.212(1), (4), and (10), F.S.,



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813 relating to licensing standards and child care
814 facilities; false personation; Department of Law
815 Enforcement; and Office of Safe Schools, respectively;
816 providing effective dates.

By Senator Gaetz

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1 A bill to be entitled
 2 An act relating to school safety; amending s. 30.15,
 3 F.S.; authorizing public postsecondary educational
 4 institutions to participate in the school guardian
 5 program; amending s. 790.06, F.S.; authorizing certain
 6 college or university employees, faculty members, and
 7 students to openly carry a handgun or carry a
 8 concealed weapon or concealed firearm into a college
 9 or university facility; amending s. 790.115, F.S.;
 10 creating the offense of discharging a weapon or
 11 firearm within 1,000 feet of a school; providing an
 12 exception; providing that a person arrested for
 13 certain offenses must be held in custody until brought
 14 before the court for admittance to bail; amending s.
 15 921.0022, F.S.; ranking an offense created by the act
 16 on the offense severity ranking chart of the Criminal
 17 Punishment Code; amending s. 943.082, F.S.; requiring
 18 that public postsecondary educational institutions be
 19 made aware of the mobile suspicious activity reporting
 20 tool in a specified manner; requiring public
 21 postsecondary educational institutions to use
 22 specified methods to promote the use of the tool;
 23 amending s. 1003.25, F.S.; requiring that specified
 24 educational records for certain students be
 25 transferred to a Florida College System institution or
 26 state university under certain circumstances;
 27 requiring the State Board of Education and the Board
 28 of Governors to adopt rules and regulations,
 29 respectively; amending s. 1006.07, F.S.; requiring

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30 certain trainings to include specified information
 31 relating to school safety; creating s. 1006.601, F.S.;
 32 defining the term "public postsecondary educational
 33 institution"; authorizing such institutions to
 34 participate in a specified program; authorizing such
 35 institutions to appoint certified school guardians;
 36 requiring such institutions to adopt specified
 37 emergency response plans; requiring such institutions
 38 to provide specified training, post specified
 39 information, and adopt threat management processes;
 40 authorizing the State Board of Education and the Board
 41 of Governors to adopt rules and regulations,
 42 respectively; reenacting ss. 402.305(19)(a),
 43 790.013(2), 843.08, 943.03(16), 1001.212(1), (4), and
 44 (10), and 1006.12(3)(a), (4)(a), and (7), F.S.,
 45 relating to licensing standards for child care
 46 facilities, carrying of concealed weapons or concealed
 47 firearms without a license, false personation,
 48 Department of Law Enforcement, Office of Safe Schools,
 49 and safe-school officers at each public school,
 50 respectively, to incorporate the amendments made by
 51 this act; providing effective dates.
 52
 53 Be It Enacted by the Legislature of the State of Florida:
 54
 55 Section 1. Paragraph (k) of subsection (1) of section
 56 30.15, Florida Statutes, is amended to read:
 57 30.15 Powers, duties, and obligations.—
 58 (1) Sheriffs, in their respective counties, in person or by

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deputy, shall:

(k) Assist district school boards and charter school governing boards in complying with, or public postsecondary educational institutions, as described in s. 1000.04(3), and private schools or child care facilities, as defined in s. 402.302, in exercising options in, s. 1006.12. A sheriff shall, at a minimum, provide access to a Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program to aid in the prevention or abatement of active assailant incidents on school premises, as required under this paragraph. Persons certified as school guardians pursuant to this paragraph have no authority to act in any law enforcement capacity except to the extent necessary to prevent or abate an active assailant incident.

1.a. If a local school board has voted by a majority to implement a guardian program or has contracted for the use of school security guards to satisfy the requirements of s. 1006.12, the sheriff in that county must establish a guardian program to provide training for school guardians or school security guards, pursuant to subparagraph 2., to school district, charter school, public postsecondary educational institution, private school, child care facility, or security agency employees, either directly or through a contract with another sheriff's office that has established a guardian program. The security agency employing a school security guard is responsible for all training and screening-related costs for a school security guard, but such charges may not exceed the actual cost incurred by the sheriff to provide the training.

b. A public postsecondary educational institution or charter school governing board in a school district that has not

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voted, or has declined, to implement a guardian program may request the sheriff in the county to establish a guardian program for the purpose of training the public postsecondary educational institution or charter school employees or school security guards consistent with the requirements of subparagraph 2. If the county sheriff denies the request, the public postsecondary educational institution or charter school governing board may contract with a sheriff that has established a guardian program to provide such training. The public postsecondary educational institution or charter school governing board must notify the superintendent and the sheriff in the public postsecondary educational institution's or charter school's county of the contract prior to its execution. The security agency employing a school security guard is responsible for all training and screening-related costs for a school security guard, but such charges may not exceed the actual cost incurred by the sheriff to provide the training.

c. A private school or child care facility in a school district that has not voted, or has declined, to implement a guardian program may request that the sheriff in the county of the private school or child care facility establish a guardian program for the purpose of training private school employees, child care facility employees, or school security guards. If the county sheriff denies the request, the private school or child care facility may contract with a sheriff from another county who has established a guardian program under subparagraph 2. to provide such training. The private school or child care facility must notify the sheriff in the private school's or child care facility's county of the contract with a sheriff from another

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county before its execution. The private school, child care facility, or security agency is responsible for all training and screening-related costs for a school guardian program. The sheriff providing such training must ensure that any moneys paid by a private school, child care facility, or security agency are not commingled with any funds provided by the state to the sheriff as reimbursement for screening-related and training-related costs of any school district or charter school employee.

d. The training program required in sub-subparagraph 2.b. is a standardized statewide curriculum, and each sheriff providing such training shall adhere to the course of instruction specified in that sub-subparagraph. This subparagraph does not prohibit a sheriff from providing additional training. A school guardian or school security guard who has completed the training program required in sub-subparagraph 2.b. may not be required to attend another sheriff's training program pursuant to that sub-subparagraph unless there has been at least a 1-year break in his or her appointment as a guardian or employment by a security agency as a school security guard in a school.

e. The sheriff conducting the training pursuant to subparagraph 2. for school district, ~~and~~ charter school, or public postsecondary educational institution employees will be reimbursed for screening-related and training-related costs and for providing a one-time stipend of \$500 to each school guardian who participates in the school guardian program.

f. The sheriff may waive the training and screening-related costs for a private school or child care facility for a school guardian program. Funds provided pursuant to sub-subparagraph e.

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may not be used to subsidize any costs that have been waived by the sheriff. The sheriff may not waive the training and screening-related costs required to be paid by a security agency for initial training or ongoing training of a school security guard.

g. A person who is certified and in good standing under the Florida Criminal Justice Standards and Training Commission, who meets the qualifications established in s. 943.13, and who is otherwise qualified for the position of a school guardian or school security guard may be certified as a school guardian or school security guard by the sheriff without completing the training requirements of sub-subparagraph 2.b. However, a person certified as a school guardian or school security guard under this sub-subparagraph must meet the requirements of sub-subparagraphs 2.c.-e.

2. A sheriff who establishes a program shall consult with the Department of Law Enforcement on programmatic guiding principles, practices, and resources, and shall certify as school guardians, without the power of arrest, school employees, as specified in s. 1006.12(3), or shall certify as school security guards those persons employed by a security agency who meet the criteria specified in s. 1006.12(4), and who:

a. Hold a valid license issued under s. 790.06 or are otherwise eligible to possess or carry a concealed firearm under chapter 790.

b. After satisfying the requirements of s. 1006.12(7), complete a 144-hour training program, consisting of 12 hours of training to improve the school guardian's knowledge and skills necessary to respond to and de-escalate incidents on school

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175 premises and 132 total hours of comprehensive firearm safety and
 176 proficiency training conducted by Criminal Justice Standards and
 177 Training Commission-certified instructors, which must include:

178 (I) Eighty hours of firearms instruction based on the
 179 Criminal Justice Standards and Training Commission's Law
 180 Enforcement Academy training model, which must include at least
 181 10 percent but no more than 20 percent more rounds fired than
 182 associated with academy training. Program participants must
 183 achieve an 85 percent pass rate on the firearms training.

184 (II) Sixteen hours of instruction in precision pistol.

185 (III) Eight hours of discretionary shooting instruction
 186 using state-of-the-art simulator exercises.

187 (IV) Sixteen hours of instruction in active shooter or
 188 assailant scenarios.

189 (V) Eight hours of instruction in defensive tactics.

190 (VI) Four hours of instruction in legal issues.

191 c. Pass a psychological evaluation administered by a
 192 psychologist licensed under chapter 490 and designated by the
 193 Department of Law Enforcement and submit the results of the
 194 evaluation to the sheriff's office. The Department of Law
 195 Enforcement is authorized to provide the sheriff's office with
 196 mental health and substance abuse data for compliance with this
 197 paragraph.

198 d. Submit to and pass an initial drug test and subsequent
 199 random drug tests in accordance with the requirements of s.
 200 112.0455 and the sheriff's office.

201 e. Successfully complete ongoing training, weapon
 202 inspection, and firearm qualification on at least an annual
 203 basis.

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204
 205 The sheriff who conducts the guardian training or waives the
 206 training requirements for a person under sub-subparagraph 1.g.
 207 shall issue a school guardian certificate to persons who meet
 208 the requirements of this section to the satisfaction of the
 209 sheriff, and shall maintain documentation of weapon and
 210 equipment inspections, as well as the training, certification,
 211 inspection, and qualification records of each school guardian
 212 certified by the sheriff. A person who is certified under this
 213 paragraph may serve as a school guardian under s. 1006.12(3)
 214 only if he or she is appointed by the applicable school district
 215 superintendent, charter school principal, public postsecondary
 216 educational institution president, private school head of
 217 school, or child care facility owner. A sheriff who conducts the
 218 training for a school security guard or waives the training
 219 requirements for a person under sub-subparagraph 1.g. and
 220 determines that the school security guard has met all the
 221 requirements of s. 1006.12(4) shall issue a school security
 222 guard certificate to persons who meet the requirements of this
 223 section to the satisfaction of the sheriff and shall maintain
 224 documentation of weapon and equipment inspections, training,
 225 certification, and qualification records for each school
 226 security guard certified by the sheriff.

227 3.a. Within 30 days after issuing a school guardian or
 228 school security guard certificate, the sheriff who issued the
 229 certificate must report to the Department of Law Enforcement the
 230 name, date of birth, and certification date of the school
 231 guardian or school security guard.

232 b. By February 1 and September 1 of each school year, each

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school district, charter school, employing security agency, public postsecondary educational institution, private school, and child care facility must report in the manner prescribed to the Department of Law Enforcement the name, date of birth, and appointment date of each person appointed as a school guardian or employed as a school security guard. The school district, charter school, employing security agency, public postsecondary educational institution, private school, and child care facility must also report in the manner prescribed to the Department of Law Enforcement the date each school guardian or school security guard separates from his or her appointment as a school guardian or employment as a school security guard in a school.

c. The Department of Law Enforcement shall maintain a list of each person appointed as a school guardian or certified as a school security guard in the state. The list must include the name and certification date of each school guardian and school security guard and the date the person was appointed as a school guardian or certified as a school security guard, including the name of the school district, charter school, public postsecondary educational institution, private school, or child care facility in which the school guardian is appointed, or the employing security agency of a school security guard, any information provided pursuant to s. 1006.12(5), and, if applicable, the date such person separated from his or her appointment as a school guardian or the last date a school security guard served in a school as of the last reporting date. The Department of Law Enforcement shall remove from the list any person whose training has expired pursuant to sub-subparagraph 1.d.

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d. Each sheriff shall report on a quarterly basis to the Department of Law Enforcement the schedule for upcoming school guardian trainings, to include guardian trainings for school security guards, including the dates of the training, the training locations, a contact person to register for the training, and the class capacity. If no trainings are scheduled, the sheriff is not required to report to the Department of Law Enforcement. The Department of Law Enforcement shall publish on its website a list of the upcoming school guardian trainings. The Department of Law Enforcement shall update such list quarterly.

e. A sheriff who fails to report the information required by this subparagraph may not receive reimbursement from the Department of Education for school guardian trainings. Upon the submission of the required information, a sheriff is deemed eligible for such funding and is authorized to continue to receive reimbursement for school guardian training.

f. A school district, charter school, public postsecondary educational institution, private school, child care facility, or employing security agency that fails to report the information required by this subparagraph is prohibited from operating a school guardian program or employing school security guards in the following school year unless the missing information is provided.

g. By March 1 and October 1 of each school year, the Department of Law Enforcement shall notify the Department of Education of any sheriff, school district, charter school, public postsecondary educational institution, private school, or child care facility that has not complied with the reporting

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291 requirements of this subparagraph.

292 h. The Department of Law Enforcement may adopt rules to

293 implement the requirements of this subparagraph, including

294 requiring additional reporting information only as necessary to

295 uniquely identify each school guardian and school security guard

296 reported.

297 Section 2. Paragraph (a) of subsection (12) of section

298 790.06, Florida Statutes, is amended to read:

299 790.06 License to carry concealed weapon or concealed

300 firearm.—

301 (12)(a) A license issued under this section does not

302 authorize any person to openly carry a handgun or carry a

303 concealed weapon or concealed firearm into:

304 1. Any place of nuisance as defined in s. 823.05;

305 2. Any police, sheriff, or highway patrol station;

306 3. Any detention facility, prison, or jail;

307 4. Any courthouse;

308 5. Any courtroom, except that nothing in this section

309 precludes a judge from carrying a concealed weapon or concealed

310 firearm or determining who will carry a concealed weapon or

311 concealed firearm in his or her courtroom;

312 6. Any polling place;

313 7. Any meeting of the governing body of a county, public

314 school district, municipality, or special district;

315 8. Any meeting of the Legislature or a committee thereof;

316 9. Any school, college, or professional athletic event not

317 related to firearms;

318 10. Any elementary or secondary school facility or

319 administration building;

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320 11. Any career center;

321 12. Any portion of an establishment licensed to dispense

322 alcoholic beverages for consumption on the premises, which

323 portion of the establishment is primarily devoted to such

324 purpose;

325 13. Any college or university facility unless the licensee

326 is:

327 a. A registered student, employee, or faculty member of

328 such college or university and the weapon is a stun gun or

329 nonlethal electric weapon or device designed solely for

330 defensive purposes and the weapon does not fire a dart or

331 projectile;

332 b. An employee or faculty member of such college or

333 university who is not a registered student of such college or

334 university; or

335 c. A registered student of such college or university who

336 is an employee or faculty member of the college or university.

337 This sub-subparagraph applies to a registered student at times

338 during which he or she is performing the duties of his or her

339 position as an employee or faculty member of the college or

340 university;

341 14. The inside of the passenger terminal and sterile area

342 of any airport, provided that no person shall be prohibited from

343 carrying any legal firearm into the terminal, which firearm is

344 encased for shipment for purposes of checking such firearm as

345 baggage to be lawfully transported on any aircraft; or

346 15. Any place where the carrying of firearms is prohibited

347 by federal law.

348 Section 3. Effective October 1, 2026, paragraph (d) of

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subsection (2) of section 790.115, Florida Statutes, is amended and a new subsection (4) is added to that section, to read:

790.115 Possessing or discharging weapons or firearms at a school-sponsored event or on school property prohibited; penalties; exceptions.—

(2)

(d) A person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she: who

1. Discharges any weapon or firearm while in violation of paragraph (a), unless discharged for lawful defense of himself or herself or another or for a lawful purpose; or

2. Discharges any weapon or firearm within 1,000 feet of a school, during school hours or during the time of a sanctioned school activity, unless discharged for lawful defense of himself or herself or another or for a lawful purpose. This subparagraph does not apply to the discharge of a weapon or firearm on private real property within 1,000 feet of a school by the owner of such property or by a person whose presence on such property has been authorized, licensed, or invited by the owner, commits

a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) A person arrested for a violation of paragraph (2)(d) must be held in custody until brought before the court for admittance to bail in accordance with chapter 903.

Section 4. Effective October 1, 2026, paragraph (f) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking

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chart.—

(3) OFFENSE SEVERITY RANKING CHART

(f) LEVEL 6

Florida Statute	Felony Degree	Description
316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
327.30(5)(a)3.	2nd	Vessel accidents involving serious bodily injury; leaving scene.
400.9935(4)(c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
499.0051(2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.

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499.0051(3) 2nd Knowing purchase or receipt of
prescription drug from
unauthorized person.

499.0051(4) 2nd Knowing sale or transfer of
prescription drug to
unauthorized person.

775.0875(1) 3rd Taking firearm from law
enforcement officer.

784.021(1)(a) 3rd Aggravated assault; deadly
weapon without intent to kill.

784.021(1)(b) 3rd Aggravated assault; intent to
commit felony.

784.041 3rd Felony battery; domestic
battery by strangulation.

784.048(3) 3rd Aggravated stalking; credible
threat.

784.048(5) 3rd Aggravated stalking of person
under 16.

784.07(2)(c) 2nd Aggravated assault on law
enforcement officer.

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784.074(1)(b) 2nd Aggravated assault on sexually
violent predators facility
staff.

784.08(2)(b) 2nd Aggravated assault on a person
65 years of age or older.

784.081(2) 2nd Aggravated assault on specified
official or employee.

784.082(2) 2nd Aggravated assault by detained
person on visitor or other
detainee.

784.083(2) 2nd Aggravated assault on code
inspector.

787.02(2) 3rd False imprisonment; restraining
with purpose other than those
in s. 787.01.

787.025(2)(a) 3rd Luring or enticing a child.

790.115(2)(d) 2nd Discharging firearm or weapon
on school property or within
1,000 feet of a school.

790.161(2) 2nd Make, possess, or throw
destructive device with intent

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to do bodily harm or damage
property.

790.164 (1)

2nd

False report concerning bomb,
explosive, weapon of mass
destruction, act of arson or
violence to state property, or
use of firearms in violent
manner.

790.19

2nd

Shooting or throwing deadly
missiles into dwellings,
vessels, or vehicles.

794.011 (8) (a)

3rd

Solicitation of minor to
participate in sexual activity
by custodial adult.

794.05 (1)

2nd

Unlawful sexual activity with
specified minor.

800.04 (5) (d)

3rd

Lewd or lascivious molestation;
victim 12 years of age or older
but less than 16 years of age;
offender less than 18 years.

800.04 (6) (b)

2nd

Lewd or lascivious conduct;
offender 18 years of age or
older.

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806.031 (2)

2nd

Arson resulting in great bodily
harm to firefighter or any
other person.

810.02 (3) (c)

2nd

Burglary of occupied structure;
unarmed; no assault or battery.

810.145 (8) (b)

2nd

Digital voyeurism; certain
minor victims; 2nd or
subsequent offense.

812.014 (2) (b) 1.

2nd

Property stolen \$20,000 or
more, but less than \$100,000,
grand theft in 2nd degree.

812.014 (2) (c) 5.

3rd

Grand theft; third degree;
firearm.

812.014 (6)

2nd

Theft; property stolen \$3,000
or more; coordination of
others.

812.015 (9) (a)

2nd

Retail theft; property stolen
\$750 or more; second or
subsequent conviction.

812.015 (9) (b)

2nd

Retail theft; aggregated
property stolen within 120 days

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is \$3,000 or more; coordination
of others.

812.015(9)(d) 2nd Retail theft; multiple thefts
within specified period.

812.015(9)(e) 2nd Retail theft; committed with
specified number of other
persons and use of social media
platform.

812.13(2)(c) 2nd Robbery, no firearm or other
weapon (strong-arm robbery).

817.4821(5) 2nd Possess cloning paraphernalia
with intent to create cloned
cellular telephones.

817.49(2)(b)2. 2nd Willful making of a false
report of a crime resulting in
death.

817.505(4)(b) 2nd Patient brokering; 10 or more
patients.

817.5695(3)(b) 2nd Exploitation of person 65 years
of age or older, value \$10,000
or more, but less than \$50,000.

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825.102(1) 3rd Abuse of an elderly person or
disabled adult.

825.102(3)(c) 3rd Neglect of an elderly person or
disabled adult.

825.1025(3) 3rd Lewd or lascivious molestation
of an elderly person or
disabled adult.

825.103(3)(c) 3rd Exploiting an elderly person or
disabled adult and property is
valued at less than \$10,000.

827.03(2)(c) 3rd Abuse of a child.

827.03(2)(d) 3rd Neglect of a child.

827.071(5) 3rd Possess, control, or
intentionally view any
photographic material, motion
picture, etc., which includes
child pornography.

828.126(3) 3rd Sexual activities involving
animals.

836.05 2nd Threats; extortion.

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

843.12 3rd Aids or assists person to
escape.

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

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

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

893.131 2nd Distribution of controlled
substances resulting in
overdose or serious bodily
injury.

914.23 2nd Retaliation against a witness,
victim, or informant, with
bodily injury.

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918.13(2) (b) 2nd Tampering with or fabricating
physical evidence relating to a
capital felony.

944.35(3) (a) 2. 3rd Committing malicious battery
upon or inflicting cruel or
inhuman treatment on an inmate
or offender on community
supervision, resulting in great
bodily harm.

944.40 2nd Escapes.

944.46 3rd Harboring, concealing, aiding
escaped prisoners.

944.47(1) (a) 5. 2nd Introduction of contraband
(firearm, weapon, or explosive)
into correctional facility.

951.22(1) (i) 3rd Firearm or weapon introduced
into county detention facility.

Section 5. Paragraph (a) of subsection (4) of section
943.082, Florida Statutes, is amended, and a new paragraph (c)
is added to that subsection, to read:
943.082 School Safety Awareness Program.—
(4) (a) Law enforcement dispatch centers, school districts,

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schools, public postsecondary educational institutions, and other entities identified by the department must be made aware of the mobile suspicious activity reporting tool.

(c) Each public postsecondary educational institution, as defined in s. 1000.04(3), shall promote the use of the mobile suspicious activity reporting tool by advertising it on the institution website, by installing it on all mobile devices issued by the institution, and by bookmarking the website on all computer devices maintained by the institution.

Section 6. Subsection (4) is added to section 1003.25, Florida Statutes, and subsection (2) of that section is republished, to read:

1003.25 Procedures for maintenance and transfer of student records.—

(2) The procedure for transferring and maintaining records of students who transfer from school to school is prescribed by rules of the State Board of Education. The transfer of records must occur within 5 school days. The records must include, if applicable:

(a) Verified reports of serious or recurrent behavior patterns, including any threat assessment report, all corresponding documentation, and any other information required by the Florida-specific behavioral threat assessment instrument pursuant to s. 1001.212(11) which contains the evaluation, intervention, and management of the threat assessment evaluations and intervention services.

(b) Psychological evaluations, including therapeutic treatment plans and therapy or progress notes created or maintained by school district or charter school staff, as

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appropriate.

(4) When the education records of a student contain the documents described in subsection (2) and the student enrolls in a Florida College System institution or state university, such records must be transferred to his or her institution or university of enrollment. The State Board of Education and the Board of Governors shall adopt rules and regulations, respectively, to establish the procedures for the transfer of a student's threat assessment report pursuant to this subsection.

Section 7. Paragraph (a) of subsection (6) of section 1006.07, Florida Statutes, is amended to read:

1006.07 District school board duties relating to student discipline and school safety.—The district school board shall provide for the proper accounting for all students, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students, including:

(6) SAFETY AND SECURITY BEST PRACTICES.—Each district school superintendent shall establish policies and procedures for the prevention of violence on school grounds, including the assessment of and intervention with individuals whose behavior poses a threat to the safety of the school community.

(a) *School safety specialist*.—Each district school superintendent shall designate a school safety specialist for the district. The school safety specialist must be a school administrator employed by the school district or a law enforcement officer employed by the sheriff's office located in the school district. Any school safety specialist designated from the sheriff's office must first be authorized and approved

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by the sheriff employing the law enforcement officer. Any school safety specialist designated from the sheriff's office remains the employee of the office for purposes of compensation, insurance, workers' compensation, and other benefits authorized by law for a law enforcement officer employed by the sheriff's office. The sheriff and the school superintendent may determine by agreement the reimbursement for such costs, or may share the costs, associated with employment of the law enforcement officer as a school safety specialist. The school safety specialist must earn a certificate of completion of the school safety specialist training provided by the Office of Safe Schools within 1 year after appointment and is responsible for the supervision and oversight for all school safety and security personnel, policies, and procedures in the school district. The school safety specialist, or his or her designee, shall:

1. In conjunction with the district school superintendent, annually review school district policies and procedures for compliance with state law and rules, including the district's timely and accurate submission of school environmental safety incident reports to the department pursuant to s. 1001.212(8). At least quarterly, the school safety specialist must report to the district school superintendent and the district school board any noncompliance by the school district with laws or rules regarding school safety.

2. Provide the necessary training and resources to students and school district staff in matters relating to youth mental health awareness and assistance; emergency procedures, including active shooter training; and school safety and security. Such training for classroom teachers and other instructional staff

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must explain the purpose, importance, and proper execution of school safety protocols and emergency procedures.

3. Serve as the school district liaison with local public safety agencies and national, state, and community agencies and organizations in matters of school safety and security.

4. In collaboration with the appropriate public safety agencies, as that term is defined in s. 365.171, by October 1 of each year, conduct a school security risk assessment at each public school using the Florida Safe Schools Assessment Tool developed by the Office of Safe Schools pursuant to s. 1006.1493. Based on the assessment findings, the district's school safety specialist shall provide recommendations to the district school superintendent and the district school board which identify strategies and activities that the district school board should implement in order to address the findings and improve school safety and security. Each district school board must receive such findings and the school safety specialist's recommendations at a publicly noticed district school board meeting to provide the public an opportunity to hear the district school board members discuss and take action on the findings and recommendations. Each school safety specialist, through the district school superintendent, shall report such findings and school board action to the Office of Safe Schools within 30 days after the district school board meeting.

5. Conduct annual unannounced inspections, using the form adopted by the Office of Safe Schools pursuant to s. 1001.212(13), of all public schools, including charter schools, while school is in session and investigate reports of

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noncompliance with school safety requirements.

6. Report violations of paragraph (f) by administrative personnel and instructional personnel to the district school superintendent or charter school administrator, as applicable.

Section 8. Section 1006.601, Florida Statutes, is created to read:

1006.601 Student safety.—

(1) DEFINITION.—As used in this section, the term “public postsecondary educational institution” has the same meaning as in s. 1000.04(3).

(2) SCHOOL GUARDIANS.—Public postsecondary educational institutions are authorized to participate in the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program and may appoint certified school guardians pursuant to s. 30.15(1)(k).

(3) SAFETY AND SECURITY BEST PRACTICES.—

(a) Response plans.—Each public postsecondary educational institution shall:

1. Adopt an active assailant response plan, including methods for issuing campus-wide alerts, and annually certify that all faculty, staff, and students have completed active assailant preparedness training. The plan must clearly identify who may issue an emergency alert.

2. Adopt, in cooperation with local law enforcement agencies and local government, a family reunification plan to reunite students and employees with their families in the event that an institution is closed or unexpectedly evacuated due to a natural or manmade disaster. This reunification plan must be reviewed annually and updated as necessary.

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(b) Student mental health.—Each public postsecondary educational institution shall:

1. Train faculty to detect and respond to mental health issues as well as connect students who may experience behavioral health issues with appropriate services, both on campus and in the community, including crisis intervention.

2. Post on its website and in conspicuous locations at each institution a mental health awareness and suicide prevention sign that identifies ways a person can access help and services. Physical signs must be at least 11 inches by 15 inches in size and must be printed in an easily legible font and in at least 32-point type.

3. Establish threat management teams whose duties include the coordination of resources and assessment and intervention with students whose behavior may pose a threat to the safety of the institution, institution staff, or students. The threat management team must use the statewide behavioral threat management operational process and Florida-specific behavioral threat assessment instrument developed by the Office of Safe Schools pursuant to s. 1001.212(11) or another comparable tool deemed appropriate for postsecondary institutions by the State Board of Education and Board of Governors.

The Commissioner of Education and the Chancellor of the State University System shall provide guidance on when and how administrators, mental health providers, and other appropriate personnel are legally entitled to share and receive information about individuals who may be a threat to themselves or others, including, but not limited to, the transmission of education

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records pursuant to s. 1003.25(4).

(c) Security risk assessment.—Each public postsecondary educational institution, in collaboration with appropriate public safety agencies as defined in s. 365.171(3)(d), shall annually conduct a security risk assessment at each campus using the Florida Safe Schools Assessment Tool developed by the Office of Safe Schools pursuant to s. 1006.1493 or another comparable tool deemed appropriate for postsecondary institutions by the State Board of Education and Board of Governors. Subject to an appropriation, the institution may apply for grant funds for security improvements to its campus based on findings in the security risk assessment.

(4) RULES AND REGULATIONS.—The State Board of Education and the Board of Governors may adopt rules and regulations, respectively, to implement this section.

Section 9. For the purpose of incorporating the amendment made by this act to section 30.15, Florida Statutes, in a reference thereto, paragraph (a) of subsection (19) of section 402.305, Florida Statutes, is reenacted to read:

402.305 Licensing standards; child care facilities.—

(19) SAFE-SCHOOL OFFICERS.—

(a) A child care facility may partner with a law enforcement agency or a security agency to establish or assign one or more safe-school officers established in s. 1006.12(1)–(4). The child care facility is responsible for the full cost of implementing any such option, which includes all training costs under the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program under s. 30.15(1)(k).

Section 10. For the purpose of incorporating the amendment

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made by this act to section 790.06, Florida Statutes, in a reference thereto, subsection (2) of section 790.013, Florida Statutes, is reenacted to read:

790.013 Carrying of concealed weapons or concealed firearms without a license.—A person who carries a concealed weapon or concealed firearm without a license as authorized under s. 790.01(1)(b):

(2) Is subject to s. 790.06(12) in the same manner as a person who is licensed to carry a concealed weapon or concealed firearm.

Section 11. For the purpose of incorporating the amendment made by this act to section 30.15, Florida Statutes, in a reference thereto, section 843.08, Florida Statutes, is reenacted to read:

843.08 False personation.—A person who falsely assumes or pretends to be a firefighter, a sheriff, an officer of the Florida Highway Patrol, an officer of the Fish and Wildlife Conservation Commission, an officer of the Department of Environmental Protection, an officer of the Department of Financial Services, any personnel or representative of the Division of Criminal Investigations, an officer of the Department of Corrections, a correctional probation officer, a deputy sheriff, a state attorney or an assistant state attorney, a statewide prosecutor or an assistant statewide prosecutor, a state attorney investigator, a coroner, a police officer, a lottery special agent or lottery investigator, a beverage enforcement agent, a school guardian as described in s. 30.15(1)(k), a security officer licensed under chapter 493, any member of the Florida Commission on Offender Review or any

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administrative aide or supervisor employed by the commission, any personnel or representative of the Department of Law Enforcement, or a federal law enforcement officer as defined in s. 901.1505, and takes upon himself or herself to act as such, or to require any other person to aid or assist him or her in a matter pertaining to the duty of any such officer, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. However, a person who falsely personates any such officer during the course of the commission of a felony commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If the commission of the felony results in the death or personal injury of another human being, the person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. In determining whether a defendant has violated this section, the court or jury may consider any relevant evidence, including, but not limited to, whether the defendant used lights in violation of s. 316.2397 or s. 843.081.

Section 12. For the purpose of incorporating the amendment made by this act to section 30.15, Florida Statutes, in a reference thereto, subsection (16) of section 943.03, Florida Statutes, is reenacted to read:

943.03 Department of Law Enforcement.—

(16) Upon request, the department shall consult with sheriffs to provide input regarding programmatic guiding principles, practices, and resources in order to assist in the development and implementation of the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program established pursuant to s. 30.15. Such input and guidance may include, but

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need not be limited to, standards, curriculum, instructional strategies, evaluation, certification, records retention, equipment, and other resource needs.

Section 13. For the purpose of incorporating the amendments made by this act to sections 943.082 and 1006.07, Florida Statutes, in references thereto, subsections (1), (4), and (10) of section 1001.212, Florida Statutes, are reenacted to read:

1001.212 Office of Safe Schools.—There is created in the Department of Education the Office of Safe Schools. The office is fully accountable to the Commissioner of Education. The office shall serve as a central repository for best practices, training standards, and compliance oversight in all matters regarding school safety and security, including prevention efforts, intervention efforts, and emergency preparedness planning. The office shall:

(1) Establish and update as necessary a school security risk assessment tool for use by school districts pursuant to s. 1006.07(6). The office shall make the security risk assessment tool available for use by charter schools. The office shall provide annual training to appropriate school district and charter school personnel on the proper assessment of physical site security and completion of the school security risk assessment tool.

(4) Develop and implement a School Safety Specialist Training Program for school safety specialists appointed pursuant to s. 1006.07(6). The office shall develop the training program which shall be based on national and state best practices on school safety and security and must include active shooter training. The office shall develop training modules in

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traditional or online formats. A school safety specialist certificate of completion shall be awarded to a school safety specialist who satisfactorily completes the training required by rules of the office.

(10) Disseminate, in consultation with the Department of Law Enforcement, to participating schools awareness and education materials on the proper use of the School Safety Awareness Program developed pursuant to s. 943.082, including the consequences of knowingly submitting false information.

Section 14. For the purpose of incorporating the amendment made by this act to section 30.15, Florida Statutes, in a reference thereto, paragraph (a) of subsection (3), paragraph (a) of subsection (4), and subsection (7) of section 1006.12, Florida Statutes, are reenacted to read:

1006.12 Safe-school officers at each public school.—For the protection and safety of school personnel, property, students, and visitors, each district school board and school district superintendent shall partner with law enforcement agencies or security agencies to establish or assign one or more safe-school officers at each school facility within the district, including charter schools. A district school board must collaborate with charter school governing boards to facilitate charter school access to all safe-school officer options available under this section. The school district may implement any combination of the options in subsections (1)–(4) to best meet the needs of the school district and charter schools.

(3) SCHOOL GUARDIAN.—

(a) At the school district's or the charter school governing board's discretion, as applicable, pursuant to s.

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30.15, a school district or charter school governing board may participate in the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program to meet the requirement of establishing a safe-school officer. The following individuals may serve as a school guardian, in support of school-sanctioned activities for purposes of s. 790.115, upon satisfactory completion of the requirements under s. 30.15(1)(k) and certification by a sheriff:

1. A school district employee or personnel, as defined under s. 1012.01, or a charter school employee, as provided under s. 1002.33(12)(a), who volunteers to serve as a school guardian in addition to his or her official job duties; or

2. An employee of a school district or a charter school who is hired for the specific purpose of serving as a school guardian.

(4) SCHOOL SECURITY GUARD.—A school district or charter school governing board may contract with a security agency as defined in s. 493.6101(18) to employ as a school security guard an individual who holds a Class "D" and Class "G" license pursuant to chapter 493, provided the following training and contractual conditions are met:

(a) An individual who serves as a school security guard, for purposes of satisfying the requirements of this section, must:

1. Demonstrate completion of 144 hours of required training conducted by a sheriff pursuant to s. 30.15(1)(k)2.

2. Pass a psychological evaluation administered by a psychologist licensed under chapter 490 and designated by the Department of Law Enforcement and submit the results of the

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 803 evaluation to the sheriff's office and school district, charter
 804 school governing board, or employing security agency, as
 805 applicable. The Department of Law Enforcement is authorized to
 806 provide the sheriff's office, school district, charter school
 807 governing board, or employing security agency with mental health
 808 and substance abuse data for compliance with this paragraph.

809 3. Submit to and pass an initial drug test and subsequent
 810 random drug tests in accordance with the requirements of s.
 811 112.0455 and the sheriff's office, school district, charter
 812 school governing board, or employing security agency, as
 813 applicable.

814 4. Be approved to work as a school security guard by the
 815 sheriff of each county in which the school security guard will
 816 be assigned to a school before commencing work at any school in
 817 that county. The sheriff's approval authorizes the security
 818 agency to assign the school security guard to any school in the
 819 county, and the sheriff's approval is not limited to any
 820 particular school.

821 5. Successfully complete ongoing training, weapon
 822 inspection, and firearm qualification conducted by a sheriff
 823 pursuant to s. 30.15(1)(k)2.e. on at least an annual basis and
 824 provide documentation to the sheriff's office, school district,
 825 charter school governing board, or employing security agency, as
 826 applicable.

827 (7) LIMITATIONS.—An individual must satisfy the background
 828 screening, psychological evaluation, and drug test requirements
 829 and be approved by the sheriff before participating in any
 830 training required by s. 30.15(1)(k), which may be conducted only
 831 by a sheriff.

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 832
 833 If a district school board, through its adopted policies,
 834 procedures, or actions, denies a charter school access to any
 835 safe-school officer options pursuant to this section, the school
 836 district must assign a school resource officer or school safety
 837 officer to the charter school. Under such circumstances, the
 838 charter school's share of the costs of the school resource
 839 officer or school safety officer may not exceed the safe school
 840 allocation funds provided to the charter school pursuant to s.
 841 1011.62(12) and shall be retained by the school district.

842 Section 15. Except as otherwise expressly provided in this
 843 act, this act shall take effect upon becoming a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Judiciary

BILL: CS/SB 1224

INTRODUCER: Judiciary Committee and Senator Rodriguez

SUBJECT: Fraudulent Entry of Residential Dwellings

DATE: February 10, 2026

REVISED: _____

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

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1224 creates the concept of fraudulent entry upon real property. Fraudulent entry is the act of entering into and taking possession of a residential dwelling unit by presenting false identity documents or false financial documents to the landlord. The bill creates a third degree felony criminal offense for fraudulent entry into a residential property. The bill also amends civil landlord tenant laws to add that a person in possession of a residential dwelling because of fraudulent entry is subject to the existing eviction procedures regarding matters that may not be cured by a tenant.

The bill is effective July 1, 2026.

II. Present Situation:

Background

Florida, like other states, has suffered from problems related to various unauthorized persons such as transients, squatters, and other people who wrongfully try to live on someone else's property. The criminal laws of the state have long authorized law enforcement to arrest and remove someone who is criminally trespassing on land. However, criminal trespass law is only a remedy where the offense is clear to the law enforcement officer.

Constitutional concepts of due process and property rights require that the state provide an individual with appropriate due process before removing the individual from private property using the power of the state. The due process that one is entitled to varies based on the individual's relationship to the property and the nature of the circumstance giving rise to the removal. So, for instance, a property owner facing foreclosure for nonpayment of monetary obligations is given substantial due process rights and protections that typically require months of legal process and numerous opportunities for the property owner to try to protect his or her right to possess the property. An ordinary tenant in these matters may legally remain in possession of the property until the civil courts finally determine that the tenant has lost the right to possession.

On the other hand, a person committing criminal trespass could be arrested which could land the dispute in criminal court.¹ For example, trespass in a structure or conveyance is committed when a person without being authorized, licensed, or invited, willfully enters or remains in any structure or conveyance, or, having been authorized, licensed, or invited, is warned by the owner or lessee of the premises, or by a person authorized by the owner or lessee, to depart and refuses to do so.²

Somewhere between the long-time landowner and the temporary criminal trespasser is a grey area of circumstances by which someone may be wrongfully on the property of another. Until recently, in circumstances where law enforcement could not find probable cause to file a criminal trespass charge, the property owner facing an unwanted and unidentified guest would be left with using the civil court processes for ejectment or tenant eviction.³ These are costly and time-consuming, and often left the property subject to theft and vandalism.

Florida first addressed the gray area in regards to transient occupants by enacting s. 82.035, F.S. in 2015.⁴ A "transient occupant" is a person whose residency in real property intended for residential use has occurred for a brief length of time, is not pursuant to a lease, and whose occupancy was intended to be transient in nature.⁵ A law enforcement officer may remove a transient occupant upon receipt of an affidavit showing that an individual is a transient.⁶

Florida next addressed the gray area regarding squatters. In general, a squatter is a stranger to a property who moves into the property and acts as if he or she is the lawful owner or tenant. Squatters may cause significant damage to a property in a short period of time. Squatters evade arrest and removal as trespassers by asserting an ownership or leasehold interest in the property often by commonly using false, misleading, or fraudulent documents and claims. Those claimed interests are rarely if ever based on facts and law. In 2024, Florida created s. 82.036, F.S., to provide a process to summarily remove an "unauthorized person" from residential property.⁷ In

¹ A law enforcement officer may arrest a person without a warrant when the person has committed a felony or misdemeanor or violated a municipal or county ordinance in the presence of the officer. An arrest for the commission of a misdemeanor or the violation of a municipal or county ordinance shall be made immediately or in fresh pursuit. s. 901.15(1), F.S.

² Section 810.08(1), F.S. Trespass in a structure or conveyance is a second degree misdemeanor, punishable by up to 60 days in jail and a \$500 fine. ss. 775.082 and 775.083, F.S.

³ See generally, ejectment in ch. 82, F.S., and eviction for residential tenancies in part II of ch. 83, F.S.

⁴ Chapter 2015-89, Laws of Fla.

⁵ Section 82.035(1), F.S.

⁶ Section 82.035(3), F.S.

⁷ Chapter 2024-44, Laws of Fla.

2025, a similar process was enacted at s. 82.037, F.S., to summarily remove an unauthorized person from commercial real property.⁸ Note, however, that none of the newly created summary procedures apply to an individual who had peacefully gained access to a key freely provided by a landlord.

One prior form of deceit that enabled a squatter to delay removal from a residential dwelling was for the squatter to forge a deed or lease. The forged document was used to try to have law enforcement officers refuse to remove the squatter. The presentation of a false document to claim the right to possess real property was made a criminal offense in 2024.⁹

Fraud Issue

Another type of individual has emerged in the gray area of individuals who may be wrongfully in possession of real property they do not own. Their wrongful conduct is not addressed by the recent legislation. This type is an individual who is in possession by fraud. The current summary remedies for removal of a transient occupant or removal of an unauthorized person specifically do not apply to an individual who has an apparent leasehold interest in the real property. If an individual can show a facially valid lease, a law enforcement officer will generally decline summary removal and suggest that the landowner seek relief in the court system.

Fraud appears to occur within two common patterns: identity fraud and credit fraud. In identity fraud, a prospective tenant assumes the identity of another individual who would qualify to lease a property. Landlords report that identity fraud, once rare and difficult, is increasingly common.¹⁰ They typically discover the identity fraud months later when rent payments stop and eviction proceedings reveal no traceable real person behind the lease.¹¹ Credit fraud is similar. It occurs when a tenant gives the landlord his or her proper identity but makes a false statement or statements regarding his or her income, debts, or other financial matters. True documents might have shown a present inability to pay the periodic rent, in which case the landlord might have declined to lease the property.

Whether identity fraud or credit fraud is alleged, these tenants have a written lease, and therefore, the tenant cannot be removed pursuant to any of the current summary remedy procedures. In either situation, a landlord may suffer significant losses of time and money related to the fraudulent actions of another. Presumably, had the fraud not occurred the landlord would have leased to a responsible tenant who is likely to have paid the rent. On the other hand, there may be some tenants who obtain a lease by fraud, but who otherwise pay their rent, are never discovered, and cause no harm to the landlord.

Alternatives Under Current Laws

A landlord who discovers that a residential tenant has furnished a false identity or has lied on the application may evict the tenant under current law. However, existing law does not directly

⁸ Chapter 2025-112, Laws of Fla.

⁹ Section 817.03(2), F.S., ch. 2024-44, Laws of Fla.

¹⁰ Florida Landlord Network, *Fake Identities, When the Applicant Isn't Who They Claim to Be*, available at <https://www.flalandlord.com/fake-identities-when-the-applicant-isnt-who-they-claim-to-be> (last visited February 10, 2026).

¹¹ *Id.*

address these specific facts.¹² If the landlord prevails he or she may obtain a civil judgment for costs and for losses.¹³

The current eviction procedure for matters other than rent starts with the requirement that the landlord serve a 5 day letter to the tenant.¹⁴ Then, there are two eviction tracks. One track applies to a tenant who should be given an opportunity to either cure a noncompliance or to surrender possession within the 5 days. The other track applies to problems where the tenant is not given an opportunity to cure and the track allows a landlord to demand that the tenant surrender possession within 5 days.

Examples of noncompliance that may be cured include, but are not limited to, activities in contravention of the lease such as having or permitting unauthorized pets, guests, or vehicles; parking in an unauthorized manner or permitting such parking; or failing to keep the premises clean and sanitary. Examples of noncompliance that are of a nature that the tenant should not be given an opportunity to cure include, but are not limited to, destruction, damage, or misuse of the landlord's or other tenants' property by intentional act or a subsequent or continued unreasonable disturbance.¹⁵ If the 5 day period runs without resolution, the landlord may file a civil eviction complaint. The court procedure is the same for either track. Current law does not address whether the actions described by the bill as fraudulent entry are something that the tenant should or should not be given the opportunity to cure.

A landlord who discovers that a residential tenant has furnished a false identity or has furnished false documents regarding ability to pay the rent may also file a complaint with a local law enforcement agency. There are current criminal laws regarding fraudulent actions that may, based on the facts of the case, provide a basis for prosecution of a fraudulent entry under existing law, including:

- Obtaining property by false personation.¹⁶
- Making false statement(s) to obtain property or credit or using false document(s) to claim a possessory interest in real property.¹⁷
- Unlawful filing of false documents or records against real or personal property.¹⁸
- Criminal use of personal identification information.¹⁹
- Unlawful possession of the personal identification information of another person.²⁰

A criminal prosecution may result in an order awarding a victim monetary restitution.²¹

¹² Section 83.56, F.S.

¹³ Sections 83.55 and 83.625, F.S.

¹⁴ Section 83.56(2), F.S.

¹⁵ *Id.*

¹⁶ Section 817.02, F.S.

¹⁷ Section 817.03, F.S.

¹⁸ Section 817.535, F.S.

¹⁹ Section 817.568, F.S.

²⁰ Section 817.5685, F.S.

²¹ Section 775.089, F.S.

III. Effect of Proposed Changes:

Criminal Offense of Fraudulent Entry

The bill creates a third degree felony offense for fraudulent entry into a residential dwelling unit. The offense is not classified in the Criminal Punishment Code Offense Severity Chart, and thus, defaults to Offense Level 1. In general, an individual committing a third degree felony offense may be imprisoned for up to 5 years,²² or fined up to \$5,000.²³ However, a single third degree nonviolent felony offense that falls in category 1 committed by an individual having no prior record falls within the category of “any nonstate prison sanction”²⁴ as the presumptive sentence.

Fraudulent entry is defined as entering into and taking possession of a residential dwelling unit by knowingly and willfully engaging in any of the following acts:

- Making or causing to be made any materially false statement, in writing, relating to the person’s identity as a part of a rental application for a residential tenancy.
- Presenting forged, fictitious, or counterfeit documents to the landlord of the residential dwelling unit. Covered documents include but are not limited to a driver license, an identification card, a bank statement, or a pay stub.
- Executing a rental agreement, or taking possession of a residential dwelling unit, while impersonating the person in whose name the rental application is submitted to the landlord.

Civil Remedies Related to Fraudulent Entry

CS/SB 1244 amends residential landlord-tenant law in s. 83.56, F.S., to provide that the act of fraudulent entry as defined in the criminal statute created by the bill (see above) may be grounds for civil eviction under the current statutory procedure for noncompliance by a tenant for which the tenant need not be given an opportunity to cure the noncompliance.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

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

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

²² Section 775.082, F.S.

²³ Section 775.083, F.S.

²⁴ Section 921.0024(2), F.S.

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:

To the extent that the bill discourages the fraudulent entry of residential dwelling units, the bill could reduce financial costs imposed on landlords who must address the practice.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 83.56 of the Florida Statutes.
This bill creates section 817.537 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 Judiciary on January 27, 2026:

The amendment clarifies the description of the actions that make one criminally liable for fraudulent entry, removes provisions for summary eviction outside of civil eviction process through the courts, and adds that fraudulent entry may warrant civil eviction procedures that currently apply to a tenant who need not be given the opportunity to cure certain acts of noncompliance with a rental agreement.

B. Amendments:

None.

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



656130

LEGISLATIVE ACTION

Senate

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House

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

Senate Amendment (with title amendment)

Delete lines 18 - 29

and insert:

(1) As used in this section, the terms "dwelling unit," "landlord," and "rental agreement" have the same meanings as provided in s. 83.43.

(2) A person may not enter into and take possession of a residential dwelling unit by knowingly and willfully:

(a) Making or causing to be made any materially false



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statement, in writing, relating to the person's identity in any
rental application for a residential tenancy.

(b) Presenting forged, fictitious, or counterfeit documents
to the landlord of a residential dwelling unit, including, but
not limited to, a driver license, an identification card, a bank
statement, or a paystub.

(c) Impersonating another person in whose name a rental
application is submitted to a landlord for the purpose of
executing the rental agreement or taking possession of the
residential dwelling unit.

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

And the title is amended as follows:

Delete line 3

and insert:

dwelling; creating s. 817.537, F.S.; defining terms;
creating the

By the Committee on Judiciary; and Senator Rodriguez

590-02250-26

20261224c1

A bill to be entitled

An act relating to fraudulent entry of residential dwellings; creating s. 817.537, F.S.; creating the crime of fraudulent entry of a residential dwelling unit; prohibiting a person from entering into and taking possession of a residential dwelling unit under specified circumstances; providing a criminal penalty; amending s. 83.56, F.S.; providing that fraudulent entry of a residential dwelling unit is an act of noncompliance for which a landlord may terminate a rental agreement; providing an effective date.

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

Section 1. Section 817.537, Florida Statutes, is created to read:

817.537 Fraudulent entry of a residential dwelling unit.-

(1) A person may not enter into and take possession of a residential dwelling unit by knowingly and willfully:

(a) Making or causing to be made any materially false statement, in writing, relating to the person's identity in any rental application for a residential tenancy.

(b) Presenting forged, fictitious, or counterfeit documents to the landlord of a residential dwelling unit, including, but not limited to, a driver license, an identification card, a bank statement, or a pay stub.

(c) Executing a rental agreement, or taking possession of a residential dwelling unit, while impersonating the person in whose name the rental application is submitted to the landlord.

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(2) A person who violates this section commits the offense of fraudulent entry of a residential dwelling unit, which is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Paragraph (a) of subsection (2) of section 83.56, Florida Statutes, is amended to read:

83.56 Termination of rental agreement.-

(2) If the tenant materially fails to comply with s. 83.52 or material provisions of the rental agreement, other than a failure to pay rent, or reasonable rules or regulations, the landlord may:

(a) If such noncompliance is of a nature that the tenant should not be given an opportunity to cure it or if the noncompliance constitutes a subsequent or continuing noncompliance within 12 months of a written warning by the landlord of a similar violation, deliver a written notice to the tenant specifying the noncompliance and the landlord's intent to terminate the rental agreement by reason thereof. Examples of noncompliance which are of a nature that the tenant should not be given an opportunity to cure include, but are not limited to, destruction, damage, or misuse of the landlord's or other tenants' property by intentional act; an act of fraudulent entry of a residential dwelling unit which violates s. 817.537(1), regardless of whether criminal proceedings have commenced; or a subsequent or continued unreasonable disturbance. In such event, the landlord may terminate the rental agreement, and the tenant shall have 7 days from the date that the notice is delivered to vacate the premises. The notice shall be in substantially the following form:

590-02250-26

20261224c1

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You are advised that your lease is terminated effective immediately. You shall have 7 days from the delivery of this letter to vacate the premises. This action is taken because ... (cite the noncompliance)....

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: SB 1300

INTRODUCER: Senator Calatayud

SUBJECT: Education and Workforce Development for Current and Former Inmates

DATE: February 10, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wyant	Stokes	CJ	Pre-meeting
2.			AEG	
3.			FP	

I. Summary:

SB 1300 amends s. 334.044, F.S., to expand duties of the Department of Transportation (DOT) to expend funds for a workforce development program. The bill allows the DOT to provide grants from the State Transportation Trust Fund to private educational providers and for certification and training opportunities within the Florida Transportation Academy.

The bill amends s. 334.62, F.S., to allow the DOT to coordinate with the Department of Corrections (DOC) to identify and create certification and training opportunities for nonviolent, scheduled-release inmates and inmates who have two years or less remaining on their sentence. Such certification and training opportunities must include programs within the state correctional institutions or correctional facilities to train and license the specified inmates to operate a commercial motor vehicle. The bill requires the curriculum for such programs to include training for Class A and Class B commercial driver licenses.

The bill creates s. 446.55, F.S., to allow employers with 100 or fewer employees, to apply to the Department of Financial Services (DFS) for reimbursement of the proportionate cost of workers' compensation and automobile liability premiums paid during the fiscal year. The reimbursement applies to former inmates who have less than two years of commercial driving experience and who were hired during the previous fiscal year. The bill provides application for reimbursement requirements. Reimbursements are limited to \$5,000 per employee and \$20,000 per employer.

The bill amends s. 944.801, F.S., to allow the DOC's Correctional Education Program to develop and implement a vocational curriculum for implementation within the state correctional institutions or correctional facilities to train and license inmates to operate a commercial motor vehicle. Additionally, the bill requires the Correctional Education Program's annual report to contain specified information.

The bill amends ss. 945.091 and 945.0913, F.S., to allow an inmate to drive a state-owned vehicle if he or she is participating in, or a graduate of, a department career and technical education program or a contracted commercial driver license training program.

The bill takes effect on July 1, 2026.

II. Present Situation:

Truck Driver Shortage

The United States continues to experience a persistent shortage of commercial truck drivers, with industry estimates indicating a shortfall in the tens of thousands of positions. In 2025, estimates placed the gap at more than 80,000 drivers, and projections suggest that long-term demand will require over 1.2 million new drivers over the next decade to replace retirees and keep pace with freight growth.¹ The shortage is driven in part by an aging workforce, high annual turnover, and challenges in attracting younger workers and addressing training barriers.²

Florida's labor market for CDL-A truck drivers includes an estimate of over 16,000 job openings statewide.³ State-level workforce development programs, including state colleges and district career centers, have highlighted the need for expanded training opportunities to address the shortage.⁴

Requirements to Obtain a CDL

Federal law establishes minimum qualification standards for individuals operating commercial motor vehicles. Motor carriers are prohibited from permitting unqualified individuals to drive.⁵

To be qualified, a commercial driver must, among other requirements:⁶

- Be at least 21 years old;⁷
- Be able to read and speak the English language sufficiently to communicate with the general public, understand traffic signs and signals, respond to official inquiries, and accurately complete required reports and records; and

¹ TruckClub, *Trucking's Driver Shortage: What's Behind It and How the Industry is Responding* (Sept. 2025), <https://www.truckclub.com/trucking-news/driver-shortage-in-trucking> (last visited Feb. 10, 2026).

² Freight Amigo, *The Ongoing US Truck Driver shortage: Impacts & Adaptions 2025*, <https://www.freightamigo.com/en/blog/logistics/the-ongoing-truck-driver-shortage-in-the-us-impacts-and-adaptations/> (last visited Feb. 10, 2026).

³ Florida Educator Preparation & Leadership Network 2025 Convening, *Florida's Labor Market Needs: CDL-A Truck Drivers*, at 33, available at <https://www.fau.edu/education/academicdepartments/el/school-leaders/initiatives/leadership-learning-center/fepln/convening/2025-convening-presentation/documents/fepln-2025-day-1-ppt.pdf>. (last visited Feb. 10, 2026).

⁴ Spectrum News, Pinellas Technical College aims to bridge female truck driver gap, reduce storage, <https://baynews9.com/fl/tampa/news/2023/06/08/pinellas-technical-college-aims-to-bridge-female-truck-driver-gap--reduce-shortage> (last visited Feb. 10, 2026).

⁵ 49 C.F.R. § 391.11(a).

⁶ 49 C.F.R. § 391.11(b)(1)-(3).

⁷ An individual who is at least 18 years of age, but younger than 21, is restricted to intrastate operation only. <https://www.flhsmv.gov/driver-licenses-id-cards/commercial-motor-vehicle-drivers/commercial-driver-license/> (last visited Feb. 10, 2026). *also*, 49 C.F.R. § 383.71(a). A Commercial Learner's Permit can be issued to a person 18 years of age or older.

- Have the training, experience, or both, necessary to safely operate the type of commercial motor vehicle driven.

Drivers must also meet federal physical qualification standards, hold a valid commercial driver license issued by only one jurisdiction, not be subject to federal disqualification, and have successfully completed a road skills test or an equivalent licensing requirement accepted by the employing motor carrier.⁸

In Florida, CDLs are issued in three primary classes based on the type and weight of vehicle to be operated:⁹

- Class A licenses allow operation of any combination vehicle, such as e.g., tractor-trailers, with a gross vehicle weight rating of 26,001 pounds or more when the towed vehicle weighs more than 10,000 pounds;
- Class B licenses allow operation of a single vehicle with a gross vehicle weight rating of 26,001 pounds or more; and
- Class C licenses allow operation of vehicles not covered by Class A or B that either transport a specified number of passengers or hazardous materials.

Beginning, February 6, 2026, all driver license knowledge and skills examinations will be administered exclusively in English.¹⁰

Florida law prohibits the Department of Highway Safety and Motor Vehicles from issuing a driver license to a person who is an unauthorized alien or undocumented immigrant.¹¹

Florida Department of Transportation (FDOT)

The FDOT has several general powers and duties, including expending funds for a construction workforce development program, in consultation with affected stakeholders, for delivery of projects designated in the department's work program.¹² The FDOT may annually expend up to \$5 million from the State Transportation Trust Fund for fiscal years 2025-2026 through 2029-2030 in grants to state colleges and school districts, with priority given to state colleges and school districts in rural communities.¹³ These funds may be used for:

⁸ 49 C.F.R. § 391.11(b)(4)-(7).

⁹ Florida Highway Safety and Motor Vehicles, License Classes, Endorsements & Designations, <https://www.flhsmv.gov/driver-licenses-id-cards/general-information/license-classes-endorsements-designations/> (last visited Feb. 10, 2026).

¹⁰ Florida Department of Highway Safety and Motor Vehicles, *Driver Licenses & ID Cards* (Jan. 30, 2026), <https://www.flhsmv.gov/2026/01/30/flhsmv-announces-driver-license-exams-to-be-administered-in-english-only/> (last visited Feb. 10, 2026).

¹¹ Section 322.033, F.S.

¹² Section 334.044(35), F.S.

¹³ See s. 288.0656(2), F.S. A rural community means a county with a population of 75,000 or fewer; a county with a population of 125,000 or fewer which is contiguous to a county with a population of 75,000 or fewer; a municipality within a county described Florida statute; or an unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or fewer and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors identified Florida statute and verified by the department.

- The purchase of equipment simulators with authentic original equipment manufacturer controls and a companion curriculum;
- The purchase of instructional aids for use in conjunction with the equipment simulators; and
- Supporting offering an elective course in heavy civil construction which must, at a minimum, provide the student with:
 - Occupational Safety and Health Administration 10-hour certification; and
 - Fill equipment simulator certification.¹⁴

Florida Transportation Academy (FTA)

In 2025, the Florida Legislature codified the FTA¹⁵ to prioritize the continued need for transportation industry workforce development programs. To support, promote, and sustain workforce development efforts in the transportation sector, the FDOT has the authority to coordinate with various entities,¹⁶ including the DOC. Coordination with the DOC is intended to identify and create certification and training opportunities for nonviolent inmates and to establish a process for notifying the FDOT when a nonviolent inmate seeking employment has a scheduled release date.¹⁷

Education for State Prisoners

The Bureau of Workforce Development within the DOC offers CTE programs throughout the state's correctional institutions and work camps.¹⁸ Currently, the DOC provides 92 CTE courses in 37 distinct vocational trades spanning 11 career clusters aligned to Florida's in-demand occupations. Expansion of programs has been achieved through contracted education partners, including state colleges, technical colleges, and community providers. Technical training, employability skill development, and industry-recognized credentialing are integrated into the CTE programs to ensure returning citizens are job-ready upon release.¹⁹

As part of these efforts, the DOC operates the CEP, which manages educational services in all state correctional facilities. The CEP develops, evaluates, and periodically updates CTE programs based on labor market demand and workforce needs.²⁰ In addition to curriculum development and evaluation, the CEP must annually report correctional education activities to the Secretary of Corrections.²¹ Current law does not specify the data elements that must be included in the report.

¹⁴ Section 334.044(35), F.S.

¹⁵ Section 25, ch. 2025-155, L.O.F. *See also*, Florida Department of Transportation, *Florida Transportation Academy Construction Division*, <https://movingi4forward.com/workforce-development-landing-page/> (last visited Feb. 10, 2026).

¹⁶ *See* s. 334.62, F.S. The FDOT may coordinate with DOC, the Department of Juvenile Justice, veteran's organizations, the Department of Commerce, CareerSource Florida, regional business communities, the American Council of Engineering Companies, and the Florida Transportation Builders Association.

¹⁷ Section 334.62(1), F.S.

¹⁸ Florida Department of Corrections, *Bureau of Workforce Development*, <https://www.fdc.myflorida.com/programs/bureau-of-workforce-development> (last visited Feb. 10, 2026).

¹⁹ *Id.*

²⁰ Section 944.801(1), (2), and 3(h) F.S.

²¹ Section 944.801(3)(f), F.S.

The CEP is authorized to establish specialized educational programs for inmates, including prison entrepreneurship programs and workforce certifications, and to adopt procedures for admitting student inmates. Programs may include in-prison education, development of business plans, graduation and certification of successful student inmates, and post release transitional or continuing education services. The DOC may implement programs in partnership with public or private colleges or universities, nonprofit organizations, or other authorized providers using existing resources.²²

Additionally, the CEP may work with the Department of Agriculture and Consumer Services, the Florida Forest Service Division, and the DFS, Division of State Fire Marshal to develop certifications and training programs, such as state forest staff training to protect homes, forestland, and natural resources from wildfires.²³

Department of Corrections Commercial Driver's License Training Opportunities

As part of broader workforce development efforts, vocational and pre-release programs may provide training related to CDLs. In Florida, workforce initiatives such as Florida HIREs, which involves CareerSource Florida and the DOC, have included training opportunities for in-demand occupations, including Class B commercial truck driving.²⁴ The Florida HIREs program currently operates at Kissimmee Community Release Center (Kissimmee CRC). Female inmates from Orlando Community Release Center that are eligible for the program are provided daily transport to and from Kissimmee CRC to participate in the program. Cohorts typically take 6 weeks to complete the program. The program is contracted for 5 cohorts for fiscal year 2025-2026, serving 75 total inmates for Class B CDLs.²⁵

Through contract with Tallahassee State College, the DOC currently operates a Class A CDL program for work release inmates at Tallahassee Community Release Center. The 320-hour course is completed in over 8 weeks. The program is contracted for 2 cohorts for fiscal year 2025-2026, serving 16 total inmates.²⁶

Inmate Transportation in Work-Released Program

An inmate is prohibited from driving a state-owned vehicle for the purpose of transporting other inmates who are participating in a work-release program that allows inmates to be gainfully employed in the community while remaining in the custody and supervision of the DOC.²⁷ Due to this prohibition and the required knowledge and skills tests, commercial vehicle driving programs are only offered to inmates housed at Work Release Centers, where testing and training facilities are available. Both Class A and Class B licenses require knowledge exams and skills tests, including pre-trip inspection, basic vehicle control, and on-road driving.²⁸

²² Section 944.801(5), F.S.

²³ Section 944.801(6), F.S.

²⁴ Florida Daily, CareerSource Florida, *Department of Corrections Honor Graduates of Commercial Driver License Program* (Feb. 2022), https://floridadaily.com/careersource-florida-department-of-corrections-honor-graduates-of-commercial-driver-license-program/#google_vignette (last visited Feb. 10, 2026).

²⁵ Florida Department of Corrections, Agency Analysis of 2026 House Bill 325, p. 2 (Nov. 21, 2025).

²⁶ *Id.*

²⁷ Section 945.0913, F.S.; *see also* s. 945.091(1)(b), F.S. and rule 33-601.605(9)(a), F.A.C.

²⁸ Florida Department of Corrections, Agency Analysis of 2026 House Bill 325, pp. 2-3 (Nov. 21, 2025).

III. Effect of Proposed Changes:

The bill amends s. 334.044, F.S., to expand duties of the DOT to expend funds for a workforce development program. The bill allows for the DOT to expend funds from the State Transportation Trust Fund in grants to private educational providers and for certification and training opportunities within the Florida Transportation Academy.

The bill amends s. 334.62, F.S., to allow the DOT to coordinate with the DOC to identify and create certification and training opportunities for nonviolent, scheduled-release inmates and inmates who have two years or less remaining on their sentence. Such certification and training opportunities must include programs within the state correctional institutions or correctional facilities to train and license the specified inmates to operate a commercial motor vehicle. The bill requires the curriculum for such programs to include training for Class A and Class B commercial driver licenses.

The bill creates s. 446.55, F.S., to allow employers, with 100 or fewer employees, to apply to the DFS for reimbursement of the proportionate cost of workers' compensation and automobile liability premiums paid during the fiscal year for former inmates who have less than two years of commercial driving experience and who were hired during the previous fiscal year. The bill requires the following information for the application for reimbursement:

- The number of employees for whom reimbursement is sought.
- Each employee's name, the date he or she was hired, the date on which he or she was issued a commercial driver license, the criminal offense for which the employee was convicted, and the final disposition of the employee's case.
- The total amount of reimbursement requested, and the method used by the employer to determine the proportionate share of the cost of premiums attributable to each employee.
- The employer's name, point of contact, and contact information.
- An attestation by the employer agreeing to maintain all documentation supporting the information provided in the application for at least five years.
- Any other information requested by the department.

The employee for whom reimbursement is sought must be a United States citizen or qualified noncitizen authorized to work in the United States who is proficient in English.

A reimbursement may not be sought for an employee who was convicted of any murder, manslaughter, sexual battery, robbery, arson, aggravated assault, aggravated battery, kidnapping, escape, breaking and entering with intent to commit a felony, or aircraft piracy, or any attempt to commit the aforementioned crimes.

Reimbursements are limited to \$5,000 per employee and \$20,000 per employer.

The bill amends s. 944.801, F.S., to allow the DOC's Correctional Education Program to develop and implement a vocational curriculum for implementation within the state correctional institutions or correctional facilities to train and license inmates to operate a commercial motor vehicle. The curriculum must include training for Class A and Class B driver licenses, and participation is limited to prerelease inmates and inmates with two years or less remaining on

their sentence. Additionally, the bill requires the Correctional Education Program's annual report to include the following:

- The number of inmates who completed vocational training through the Correctional Education Program.
- The number of inmates who completed vocational training through the Correctional Education Program and were employed within six months after being released from prison.
- Statistics on whether the employed former inmates who completed training through the Correctional Education Program are employed in an occupation aligned with their education and training received through the program.

The bill amends ss. 945.091 and 945.0913, F.S., to allow an inmate to drive a state-owned vehicle if he or she is participating in, or a graduate of, a department career and technical education program or a contracted commercial driver license training program.

The bill takes effect on July 1, 2026

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

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

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

There is an indeterminate negative impact on the Department of Financial Services for reimbursement of the proportionate cost of workers' compensations and automobile liability premiums paid for former inmates with less than two years of commercial driver experience. Reimbursements are limited to \$20,000 per employer, however, it cannot be determined how many employers will apply for reimbursement.

There is an indeterminate negative impact on the Department of Corrections due to an increase in programming opportunities through the Correctional Education Program, which may result in an increase in staffing or operational cost.

Additionally, the bill allows the DOT to annually expend up to \$5,000,000 in funds for a workforce development program, rather than solely for a construction workforce development program as previously specified.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 334.044, 334.62, 944.801, 945.091, 945.0913.

This bill creates section 446.55 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.

By Senator Calatayud

38-00607A-26

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1 A bill to be entitled
 2 An act relating to education and workforce development
 3 for current and former inmates; amending s. 334.044,
 4 F.S.; authorizing the Department of Transportation to
 5 expend certain funds for all workforce development
 6 programs, rather than only construction workforce
 7 development programs; revising the entities to which
 8 and the purposes for which the department may provide
 9 certain grants; amending s. 334.62, F.S.; requiring
 10 that certification and training opportunities include
 11 training for specified commercial driver licenses for
 12 certain inmates; authorizing the department to use
 13 workforce development funds for certain certification
 14 and training opportunities; creating s. 446.55, F.S.;
 15 defining the term "employer"; authorizing employers to
 16 apply to the Department of Financial Services for
 17 reimbursement of the cost of certain workers'
 18 compensation and automobile liability premiums,
 19 subject to appropriation; providing requirements for
 20 the reimbursement application; providing requirements
 21 and restrictions for reimbursement; requiring the
 22 department to process an application and notify the
 23 applicant within a specified timeframe; requiring the
 24 department to coordinate with the employer for a
 25 certain purpose; providing reimbursement limits;
 26 amending s. 944.801, F.S.; requiring the Correctional
 27 Education Program under the Department of Corrections
 28 to include specified information in a report annually
 29 submitted to the Secretary of Corrections; authorizing

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30 the Correctional Education Program to develop and
 31 implement a vocational curriculum in which certain
 32 inmates can earn specified commercial driver licenses;
 33 amending s. 945.091, F.S.; conforming a provision to
 34 changes made by the act; amending s. 945.0913, F.S.;
 35 authorizing inmates to drive a state-owned vehicle
 36 under certain circumstances; providing an effective
 37 date.
 38
 39 Be It Enacted by the Legislature of the State of Florida:
 40
 41 Section 1. Subsection (35) of section 334.044, Florida
 42 Statutes, is amended to read:
 43 334.044 Powers and duties of the department.—The department
 44 shall have the following general powers and duties:
 45 (35) To expend funds for a ~~construction~~ workforce
 46 development program, in consultation with affected stakeholders,
 47 for delivery of projects designated in the department's work
 48 program. The department may annually expend up to \$5 million
 49 from the State Transportation Trust Fund for fiscal years 2025-
 50 2026 through 2029-2030 in grants to state colleges, ~~and~~ school
 51 districts, and private educational providers, with priority
 52 given to state colleges and school districts in counties that
 53 are rural communities as defined in s. 288.0656(2), for
 54 certification and training opportunities within the Florida
 55 Transportation Academy, for the purchase of equipment simulators
 56 with authentic original equipment manufacturer controls and a
 57 companion curriculum, for the purchase of instructional aids for
 58 use in conjunction with the equipment simulators, and to support

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

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offering an elective course in heavy civil construction which must, at a minimum, provide the student with an Occupational Safety and Health Administration 10-hour certification and a fill equipment simulator certification.

Section 2. Subsection (1) of section 334.62, Florida Statutes, is amended to read:

334.62 Florida Transportation Academy.—The Legislature finds that the growth and sustainability of the transportation industry workforce is vital to the continued success and efficiency of the state's supply chain and economic competitiveness. In order to prioritize the continued need for transportation industry workforce development programs, the Florida Transportation Academy is established within the department. In order to support, promote, and sustain workforce development efforts in the transportation sector, the department may do all of the following:

(1) Coordinate with the Department of Corrections to identify and create certification and training opportunities for nonviolent, scheduled-release inmates and inmates who have 2 years or less remaining on their sentence and create a notification process between the Department of Corrections and the department for nonviolent inmates with imminent scheduled-release dates who are expected to seek employment upon release. Such certification and training opportunities must include programs within the state correctional institutions or correctional facilities to train and license nonviolent, scheduled-release inmates and inmates who have 2 years or less remaining on their sentence to operate a commercial motor vehicle. The curriculum for such programs must include training

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for Class A and Class B commercial driver licenses. The department's workforce development funds as described in s. 334.044(35) may be used to fund such certification and training opportunities.

Section 3. Section 446.55, Florida Statutes, is created to read:

446.55 Reimbursement for insurance premiums.—

(1) For purposes of this section, the term "employer" means an employer principally headquartered in this state which employed 100 or fewer employees as of the end of the calendar year immediately preceding the year in which reimbursement is sought.

(2) Subject to appropriation, employers may apply to the Department of Financial Services, in a format prescribed by the department, for reimbursement of the proportionate cost of workers' compensation and automobile liability premiums paid during the fiscal year for former inmates who have less than 2 years of commercial driving experience and who were hired during the previous fiscal year.

(a) An application for reimbursement must include all of the following information:

1. The number of employees for whom reimbursement is sought.

2. Each employee's name, the date he or she was hired, the date on which he or she was issued a commercial driver license, the criminal offense for which the employee was convicted, and the final disposition of the employee's case.

3. The total amount of reimbursement requested and the method used by the employer to determine the proportionate share

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of the cost of premiums attributable to each employee.

4. The employer's name, point of contact, and contact information.

5. An attestation by the employer agreeing to maintain all documentation supporting the information provided in the application for at least 5 years.

6. Any other information requested by the department.

(b) The employee for whom reimbursement is sought must be a United States citizen or qualified noncitizen authorized to work in the United States who is proficient in English.

(c) An employer may not request reimbursement for an employee who was convicted of any of the offenses in s. 945.091(5).

(3) Within 45 days after receipt of a completed application, the department must process the application and notify the applicant of approval or denial of the application. Before making its determination, the department must coordinate with the employer to verify the information on the application relating to the employer and the employees for whom reimbursement is sought.

(4) Reimbursements provided under this section are limited to \$5,000 per employee and \$20,000 per employer.

Section 4. Paragraph (h) of subsection (3) and subsections (5) and (6) of section 944.801, Florida Statutes, are amended to read:

944.801 Education for state prisoners.—

(3) The responsibilities of the Correctional Education Program shall be to:

(h) Develop a written procedure for selecting programs to

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add to or delete from the vocational curriculum. The procedure shall include labor market analyses that demonstrate the projected demand for certain occupations and the projected supply of potential employees. In conducting these analyses, the department shall evaluate the feasibility of adding vocational education programs that have been identified by the Department of Commerce, the Department of Education, or a regional coordinating council as being in undersupply in this state. The department shall periodically reevaluate the vocational education programs in major institutions to determine which of the programs support and provide relevant skills to inmates who could be assigned to a correctional work program that is operated as a Prison Industry Enhancement Program. The annual report of correctional education activities required under paragraph (f) must include all of the following information:

1. The number of inmates who completed vocational training through the Correctional Education Program.

2. The number of inmates who completed vocational training through the Correctional Education Program and were employed within 6 months after being released from prison.

3. Statistics on whether the employed former inmates who completed training through the Correctional Education Program are employed in an occupation aligned with their education and training received through the Correctional Education Program.

(5) The Correctional Education Program may:

(a) Establish a prison entrepreneurship program and adopt procedures for admitting student inmates. If the department elects to develop the program, it must include at least 180 days of in-prison education. The program curriculum must include a

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component on developing a business plan, procedures for graduation and certification of successful student inmates, and at least 90 days of transitional and postrelease continuing educational services. Transitional and postrelease continuing educational services may be offered to graduate student inmates on a voluntary basis and are not a requirement for completion of the program. The department shall enter into agreements with public or private colleges or universities, other nonprofit entities, or other authorized providers under s. 1002.45(1)(a)1. to implement the program. The program must be funded with existing resources.

~~(b)(6) The Correctional Education Program may~~ Work in cooperation with the Department of Agriculture and Consumer Services, Florida Forestry Service Division, and the Florida Department of Financial Services, Division of State Fire Marshal to develop a program for implementation within state correctional institutions or correctional facilities to train and certify inmates as firefighters. The program should include, but not be limited to, certification of inmates as state forest staff trained to help protect homes, forestland, and natural resources from the effects of wildfires throughout the state.

(c) Develop and implement a vocational curriculum for implementation within the state correctional institutions or correctional facilities to train and license inmates to operate a commercial motor vehicle. The vocational curriculum must include training for Class A and Class B driver licenses, and participation in such curriculum is limited to prerelease inmates and inmates who have 2 years or less remaining to serve on their sentence.

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Section 5. Paragraph (b) of subsection (1) of section 945.091, Florida Statutes, is amended to read:

945.091 Extension of the limits of confinement; restitution by employed inmates.—

(1) The department may adopt rules permitting the extension of the limits of the place of confinement of an inmate as to whom there is reasonable cause to believe that the inmate will honor his or her trust by authorizing the inmate, under prescribed conditions and following investigation and approval by the secretary, or the secretary's designee, who shall maintain a written record of such action, to leave the confines of that place unaccompanied by a custodial agent for a prescribed period of time to:

(b) Work at paid employment, participate in an education or a training program, or voluntarily serve a public or nonprofit agency or faith-based service group in the community, while continuing as an inmate of the institution or facility in which the inmate is confined, except during the hours of his or her employment, education, training, or service and traveling thereto and therefrom. An inmate may travel to and from his or her place of employment, education, or training only by means of walking, bicycling, or using public transportation or transportation that is provided by a family member or employer. Contingent upon specific appropriations or as authorized in s. 945.0913(2), the department may transport an inmate in a state-owned vehicle if the inmate is unable to obtain other means of travel to his or her place of employment, education, or training.

1. An inmate may participate in paid employment only during

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the last 36 months of his or her confinement, unless sooner requested by the Florida Commission on Offender Review or the Control Release Authority.

2. While working at paid employment and residing in the facility, an inmate may apply for placement at a contracted substance abuse transition housing program. The transition assistance specialist shall inform the inmate of program availability and assess the inmate's need and suitability for transition housing assistance. If an inmate is approved for placement, the specialist shall assist the inmate. If an inmate requests and is approved for placement in a contracted faith-based substance abuse transition housing program, the specialist must consult with the chaplain before such placement. The department shall ensure that an inmate's faith orientation, or lack thereof, will not be considered in determining admission to a faith-based program and that the program does not attempt to convert an inmate toward a particular faith or religious preference.

Section 6. Section 945.0913, Florida Statutes, is amended to read:

945.0913 Inmates prohibited from driving state-owned vehicles to transport inmates in a work-release program; exception.—

(1) Except as provided in subsection (2), an inmate may not drive a state-owned vehicle for the purpose of transporting inmates who are participating in a work-release program authorized in s. 945.091(1)(b).

(2) An inmate may drive a state-owned vehicle if he or she is participating in, or a graduate of, a department career and

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technical education program or a contracted commercial driver license training program. An inmate may only operate a state-owned vehicle on department property or other state-owned property that is specifically designated for career and technical education purposes.

Section 7. This act shall take effect July 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SB 1370

INTRODUCER: Senator Martin

SUBJECT: Habitual Traffic Offender Designation

DATE: February 10, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Shutes	Vickers	TR	Favorable
2. Parker	Stokes	CJ	Pre-meeting
3. _____	_____	RC	_____

I. Summary:

SB 1370 amends the definition of “habitual traffic offender” to add the offense of driving a motor vehicle without a valid license to the list of offenses for which a specified number of convictions within a five-year period requires the Department of Highway Safety and Motor Vehicles (DHSMV) to designate a person as a habitual traffic offender. Generally, once a person is designated as a habitual traffic offender, he or she can be prosecuted for a third-degree felony for subsequently driving a motor vehicle.

The bill may have an indeterminate fiscal impact on the private and governmental sectors. See Section V., Fiscal Impact Statement for additional details.

The bill takes effect July 1, 2026.

II. Present Situation:

Requirements to Obtain a Driver License

Florida law provides that, unless exempted, a person may not drive a motor vehicle¹ upon a highway unless he or she has a valid driver license issued under ch. 322, F.S.² Generally, to obtain a Florida driver license, a person must:

- Be at least 16 years of age;
- Complete a drug, alcohol, and traffic awareness course; and

¹ Sections 316.003 and 322.001(29), F.S. defines “Motor vehicle” as any self-propelled vehicle, including a motor vehicle combination, not operated upon rails or guideway, excluding vehicles moved solely by human power, motorized wheelchairs, and electric bicycles.

² Section 322.03, F.S.

- Pass a driving knowledge exam and driving skills test.^{3,4}

A person younger than 18 years of age must also hold a learner's permit for a specified period of time, not be convicted of traffic infractions, and complete a specified amount of driving experience.⁵

Operating a Vehicle Without a Valid Driver License

A person who drives a motor vehicle without ever having been issued a valid driver license commits an offense of no valid driver license under s. 322.03(1), F.S. A person commits a:

- Second degree misdemeanor⁶, upon a first conviction.
- First degree misdemeanor⁷, upon a second conviction.
- First degree misdemeanor, and must serve 10 days in jail for a third or subsequent conviction.⁸

A person who operates a motor vehicle when his or her license has been expired for more than six months commits a criminal offense for which no points are assessed.^{9,10}

Pursuant to s. 322.03(2), F.S., a person who drives a commercial motor vehicle¹¹ may not receive a driver license unless and until he or she surrenders to DHSMV all driver licenses issued by any other jurisdiction, or makes an affidavit that he or she does not possess such a driver license. A person commits a:

- Noncriminal infraction, punishable as a moving violation under ch. 318, F.S., if he or she fails to surrender such licenses.
- First degree misdemeanor, if he or she makes a false affidavit concerning such licenses.

³ *How to Get Your Florida Driver's License*, <https://www.stateofflorida.com/drivers-license-steps/> (last visited February 9, 2026).

⁴ See also *General Information*, FLHSMV, <https://www.flhsmv.gov/driver-licenses-id-cards/general-information/> (last visited February 9, 2026).

⁵ *Supra* note 3.

⁶ A second degree misdemeanor is punishable by a definite term of imprisonment not exceeding 60 days and a \$500 fine as provided by ss. 775.082 and 775.083, F.S.

⁷ A first degree misdemeanor is punishable by a definite term of imprisonment not exceeding 1 year and a \$1,000 fine as provided by ss. 775.082 and 775.083, F.S.

⁸ Section 322.03(1), F.S. provides penalties for a violation of no valid driver license, do not apply to a violation of section 316.212, F.S., relating to the operation of golf carts. A golf cart is a type of motor vehicle as defined in section 320.01, F.S. Under section 316.212(7), F.S., a golf cart may be operated on public roads or streets by a certain person not possessing a valid driver license, including a person: a) who is under 18 years of age and possesses a valid learner's driver license or valid driver license; or b) who is 18 years of age or older who possesses a valid form of government-issued photographic identification. A person who violates section 316.212, F.S., commits a noncriminal traffic infraction, punishable pursuant to chapter 318 as a nonmoving violation.

⁹ Section 322.03(6), F.S. Under s. 322.065, F.S., a person whose driver license has been expired for six months or less and who drives a motor vehicle commits an infraction and is subject to the penalty provided in s. 318.18, F.S.

¹⁰ See FLHSMV (revised Apr. 2, 2025), https://www.flhsmv.gov/pdf/courts/utc/appendix_c.pdf (last visited February 9, 2026).

¹¹ Section 322.01(8), F.S. defines "Commercial motor vehicle" to mean any motor vehicle or motor vehicle combination used on the streets or highways, which: has a gross vehicle weight rating of 26,001 pounds or more; is designed to transport more than 15 persons, including the driver; or is transporting hazardous materials and is required to be placarded in accordance with 49 C.F.R. part 172, subpart F.

Section 322.03(4), F.S., provides a Florida resident who is required to possess a commercial driver license may not operate a commercial motor vehicle in Florida unless he or she possesses a valid commercial driver license issued by Florida. A person who drives a commercial motor vehicle in violation of these requirements commits a:

- First degree misdemeanor.
- Nonmoving violation, punishable as provided in s. 318.18, F.S., if his or her commercial driver license has been expired for 30 days or less.

Pursuant to s. 322.03(5), F.S., a person may not operate a motorcycle unless he or she holds a driver license that authorizes such operation, subject to the appropriate restrictions and endorsements. A violation of this requirement is a criminal offense for which no points are assessed.¹²

Driving While License Suspended, Revoked, Canceled, or Disqualified (DWLS)

Section 322.34(2), F.S., provides a person whose driver license or driving privilege has been canceled, suspended, or revoked, or who does not have a driver license or driving privilege but is under suspension or revocation equivalent status as defined in s. 322.01(42), F.S.,¹³ who, knowing of such cancellation, suspension, revocation, or suspension or revocation equivalent status, drives a motor vehicle upon a highway in Florida, commits a:

- Second degree misdemeanor, upon a first conviction.¹⁴
- First degree misdemeanor,¹⁵ upon a second or subsequent conviction.¹⁶
- First degree misdemeanor, upon a third or subsequent specified conviction, and must serve 10 days in jail.¹⁷
- Third degree felony,¹⁸ upon a third or subsequent conviction, if the current or most recent violation relates to a DWLS that resulted from a violation of:
 - Driving under the influence;
 - Refusal to submit to a urine, breath-alcohol, or blood alcohol test;
 - A traffic offense causing death or serious bodily injury; or
 - Fleeing or eluding.¹⁹

¹² *Supra* note 8.

¹³ “Suspension or revocation equivalent status” is a designation for a person who does not have a driver license or driving privilege but would qualify for suspension or revocation of his or her driver license or driving privilege if licensed. DHSMV may designate a person as having suspension or revocation equivalent status in the same manner as it is authorized to suspend or revoke a driver license or driving privilege by law.

¹⁴ Section 322.34(2)(a), F.S. A second degree misdemeanor is punishable by up to 60 days in county jail and a \$500 fine. Ss. 775.082 and 775.083, F.S.

¹⁵ A first-degree misdemeanor is punishable by up to one year in county jail and a \$1,000 fine. Ss. 775.082 and 775.083, F.S.

¹⁶ Section 322.34(2)(b)1., F.S.

¹⁷ Section 322.34(2)(b)2., F.S.

¹⁸ A third degree felony is punishable by up to five years in prison and a \$5,000 fine. Ss. 775.082, 775.083, or 775.084, F.S.

¹⁹ Section 322.34(2)(c), F.S. A person whose third or subsequent DWLS qualifies as a third degree felony under s. 322.34(2)(c), F.S., is not subject to the minimum mandatory period of 10 days in jail that applies to a third or subsequent DWLS under s. 322.34(2)(b), F.S.

Habitual Traffic Offender Designation

Section 322.264, F.S., provides that a person designated as a habitual traffic offender (HTO) is any person whose record, as maintained by DHSMV, shows that he or she has accumulated, within a five-year period:

- Three or more convictions, arising out of separate acts, for any of the following offenses:
 - Voluntary or involuntary manslaughter resulting from the operation of a motor vehicle²⁰;
 - Driving under the influence²¹ under s. 316.193, F.S.;²²
 - Any felony in the commission of which a motor vehicle is used²³;
 - Driving while the license is suspended or revoked²⁴;
 - Failing to stop and render aid as required in the event of a motor vehicle crash resulting in the death of or personal injury to another person²⁵; or
 - Driving a commercial motor vehicle while his or her privilege is disqualified²⁶.
- Accumulating 15 convictions for moving traffic offenses for which points may be assessed as set forth in s. 322.27, F.S.²⁷

A person commits a third-degree felony if he or she drives any motor vehicle on the highways of Florida if he or she is designated an HTO.²⁸ Additionally, an HTO must have his or her driving privilege revoked and is not eligible to be relicensed for a minimum of five years from the date of revocation.²⁹ Currently, driving with no valid driver license is not a qualifying offense for HTO designation.

III. Effect of Proposed Changes:

The bill amends s. 322.264, F.S., to expand the definition of “habitual traffic offender” to include driving a motor vehicle without a valid license in violation of s. 322.03, F.S., that three or more convictions within five years, arising out of separate acts, requires DHSMV to designate a person as a “habitual traffic offender.”

The act shall be known as “Isaiah’s Law.”

Once a person is designated as a habitual traffic offender, he or she may be prosecuted for a third degree felony for thereafter driving a motor vehicle and the DHSMV must revoke his or her driver license for a period of five years.³⁰

²⁰ Section 322.264(1)(a), F.S.

²¹ Section 322.264(1)(b), F.S.

²² Former ss. 316.1931, or former 860.01, F.S.

²³ Section 322.264(1)(c), F.S.

²⁴ Section 322.264(1)(d), F.S.

²⁵ Section 322.264(1)(e), F.S.

²⁶ Section 322.264(1)(f), F.S.

²⁷ Section 322.264(2), F.S.

²⁸ Section 322.34(5), F.S.

²⁹ *Supra* note 2.; s. 322.27, F.S.

³⁰ Section 322.27(5)(a), F.S. A person designated as a habitual traffic offender must wait 12 months from the date of his or her revocation before petitioning DHSMV for reinstatement of his or her driving privilege. Section 322.271(1)(b), F.S.

As required by s. 322.27(5)(a), F.S., DHSMV will revoke the driver license of any person designated as a habitual traffic offender for five years and such person will be eligible to apply for a restricted driver license after one year. A person who does not have a driver license (and has the requisite three or more convictions to be classified as a habitual traffic offender) will not be eligible to apply for a restricted driver license because such person has never had a driver license to which the restriction would apply. As a result, such person would be required to serve the entire five-year revocation period without driving.³¹

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 identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Persons designated as a habitual traffic offender as result of the bill would be subject to enhanced penalties, and the indirect costs associated with the loss of driving privileges.

C. Government Sector Impact:

The bill may have an indeterminate fiscal impact to local and state governments. To the extent that more offenders are designated as habitual traffic offenders, and are thereafter

³¹ Florida Department of Highway Safety and Motor Vehicles, *Agency Analysis of 2026 House Bill 35*, p. 3-4 (Sept. 30, 2025).

convicted of specified driving offenses, such offenders may be subject to longer terms of incarceration.

Additionally, the DHSMV estimates that the bill will have a fiscal impact of \$46,110 related to information technology programming and implementation costs.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Citing ongoing information technology projects, DHSMV recommends delaying the effective date of the bill from July 1, 2026, to October 1, 2026.

VIII. Statutes Affected:

This bill amends section 322.264 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.

By Senator Martin

33-01427A-26

20261370__

A bill to be entitled

An act relating to habitual traffic offender designation; providing a short title; amending s. 322.264, F.S.; revising the definition of the term "habitual traffic offender"; providing an effective date.

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

Section 1. This act may be cited as "Isaiah's Law."

Section 2. Subsection (1) of section 322.264, Florida Statutes, is amended to read:

322.264 "Habitual traffic offender" defined.—A "habitual traffic offender" is any person whose record, as maintained by the Department of Highway Safety and Motor Vehicles, shows that such person has accumulated the specified number of convictions for offenses described in subsection (1) or subsection (2) within a 5-year period:

(1) Three or more convictions of any one or more of the following offenses arising out of separate acts:

(a) Voluntary or involuntary manslaughter resulting from the operation of a motor vehicle;

(b) Any violation of s. 316.193, former s. 316.1931, or former s. 860.01;

(c) Any felony in the commission of which a motor vehicle is used;

(d) Driving a motor vehicle while his or her license is suspended or revoked;

(e) Failing to stop and render aid as required under the

Page 1 of 2

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

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laws of this state in the event of a motor vehicle crash resulting in the death or personal injury of another; ~~or~~

(f) Driving a commercial motor vehicle while his or her privilege is disqualified; or

(g) Driving a motor vehicle without a valid license in violation of s. 322.03.

Any violation of any federal law, any law of another state or country, or any valid ordinance of a municipality or county of another state similar to a statutory prohibition specified in subsection (1) or subsection (2) shall be counted as a violation of such prohibition. In computing the number of convictions, all convictions during the 5 years previous to July 1, 1972, will be used, provided at least one conviction occurs after that date. The fact that previous convictions may have resulted in suspension, revocation, or disqualification under another section does not exempt them from being used for suspension or revocation under this section as a habitual offender.

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

Page 2 of 2

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

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: SB 1712

INTRODUCER: Senator Martin

SUBJECT: Statewide Counterintelligence and Counterterrorism Unit

DATE: February 10, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Cellon	Stokes	CJ	Pre-meeting
2.			ACJ	
3.			FP	

I. Summary:

SB 1712 creates s. 943.0316, F.S., to establish the Statewide Counterintelligence and Counterterrorism Unit, whose primary goal is to conduct statewide counterintelligence and counterterrorism activities to detect, identify, neutralize, and exploit adversary intelligence entities, international and domestic terrorists, insider threats, corporate threats, and other foreign adversaries to protect this state and the United States of America.

The Florida Department of Law Enforcement (FDLE) must establish and administer the Statewide Counterintelligence and Counterterrorism Unit, which will be housed at the FDLE's regional operational center. A team from the unit will be assigned to and aligned with each regional domestic security task force.

The unit must identify threats by analyzing patterns of life, gathering actionable intelligence, and formulating effective plans of action, and by executing arrests or by revealing its intent to compel a response using all counterintelligence and counterterrorism tradecraft necessary to protect Florida from adversary intelligence entities.

The unit may conduct direct action missions on its own against a threat or may incorporate with or into other units to counteract and stop identifiable threats.

The bill directs the FDLE to create an initial team of 10 people by July 1, 2027, and establish a full unit consisting of at least seven teams. The unit must be fully staffed by December 30, 2033.

There will be a negative indeterminate fiscal impact on the FDLE. *See Section V. Fiscal Impact Statement.*

The bill takes effect on July 1, 2026.

II. Present Situation:

Federal Investigations of Terrorism

The Federal Bureau of Investigations (FBI) is the lead agency in investigating terrorism. Combatting terrorism requires the continuous exchange of information and close, daily coordination among U.S. law enforcement, members of the U.S. intelligence community, first responders, international law enforcement agencies, and others. The FBI participates in numerous national and local joint terrorism task forces and interagency initiatives such as the National Counterterrorism center and in fusion centers.¹

FBI

The Attorney General Guidelines for Domestic FBI Operations (guidelines)² is an agency authority outline implemented by the FBI operation policies, outlining both criteria and methodology functional to opening and closing terrorist threat investigations, both domestic and international.³ The FBI's collection and maintenance of intelligence is governed by:

- The guidelines;
- The (Foreign Intelligence Surveillance Act) FISA;
- The U.S. Constitution, such as limits to authorizing the monitoring of activities protected by the First Amendment and other lawfully exercised rights;⁴
- Federal law;
- Established criminal procedures; and
- Authorities controlled by U.S. courts.

The FBI oversees approximately 200 Joint Terrorism Task Forces (JTTFs) around the nation, serving as a frontline defense against terrorist threats.⁵ The JTTFs are an invaluable resource for collaboration with State, Local, Tribal, and Territorial (STLL) governments, including training, research, and intelligence sharing.⁶

Foreign Intelligence Surveillance Act of 1978 (FISA)

The Foreign Intelligence Surveillance Act of 1978 (FISA) originally outlined federal procedure for the collection of electronic surveillance on foreign threats, providing “judicial and congressional oversight... while maintaining the secrecy necessary to effectively monitor national security threats.”⁷ Judicial oversight is accomplished by the Foreign Intelligence

¹ FBI, What We Investigate, available at <https://www.fbi.gov/investigate/terrorism> (last visited February 9, 2026).

² DOJ, *Attorney General's Guidelines for Domestic FBI Operations*, available at <https://www.justice.gov/archive/opa/docs/guidelines.pdf> (last visited February 9, 2026).

³ DHS, *Strategic Intelligence Assessment and Data on Domestic Terrorism*, available at https://www.dhs.gov/sites/default/files/2023-07/23_0724_opa_strategic-intelligence-assessment-data-domestic-terrorism.pdf (last visited February 9, 2026).

⁴ DOJ, *Attorney General's Guidelines for Domestic FBI Operations*, pg. 13, available at <https://www.justice.gov/archive/opa/docs/guidelines.pdf> (last visited February 9, 2026).

⁵ FBI, *Joint Terrorism Task Forces*, available at <https://www.fbi.gov/investigate/terrorism/joint-terrorism-task-forces> (last visited February 9, 2026).

⁶ *Id.*

⁷ BJA, *The Foreign Intelligence Surveillance Act of 1978 (FISA)*, available at <https://bja.ojp.gov/program/it/privacy-civil-liberties/authorities/statutes/1286> (last visited February 9, 2026).

Surveillance Court (FISC), created by the FISA as an *ex parte* Federal court to consider search warrants served by the U.S. Department of Justice (DOJ). The FISA reports are compiled by the DOJ and presented to Congress annually. As amended by the FISA Amendments Act of 2008, Section 702 provides key provisions to permit the federal government to request and maintain intelligence, compelling electronic communication providers to provide data upon request.⁸

General provisions of the Act include:

- Subsection I contains provisions relating to:
 - Electronic surveillance procedures, such as heightened requirements for FISC approval for targets that are U. S. persons. Executive Order 12333 defines “U. S. persons” as U. S. citizens, permanent resident aliens, and U. S. corporations.
 - Agents must demonstrate the target is a foreign power or an agent of a foreign power, but not the commission of a crime being imminent. “Agents of foreign powers” include agents of foreign political organizations/groups engaged in international terrorism, as well as agents of foreign nations.⁹ Agents of foreign powers may include U.S. citizens and permanent residents suspected of being engaged with espionage and violating U.S. law on United States territory.¹⁰
 - Minimization standards are put in place to avoid capturing U.S. person intelligence.¹¹
 - Only collection of non-U.S. person intelligence who are reasonably believed to be located outside the U.S is permitted.¹²
 - Record destruction of unintendedly collected data with a reasonable expectation of privacy, apart from threatening content upon review by the Attorney General (AG).¹³
 - Exception to court order requirements given to the President to authorize electronic surveillance for periods up to one year, considering the AG confirms U.S. person communications is unlikely to be collected.
- Subchapter II authorizes physical searches of property or possessions used or owned by foreign target with similar approval standards to Subsection I.
- Subchapter III authorizes the use of pen registers and trap and trace devices for telephone or e-mail surveillance with foreign intelligence purposes.
- Subchapter IV provides a request structure to access certain business records for foreign intelligence purposes.

Florida Department of Law Enforcement and Terrorism

The FDLE, oversees investigations relating to terrorism within Florida. Terrorism or terrorist activity mean an activity that involves a violent act or an act dangerous to human life which is a violation of state or federal criminal law. Additionally, terrorism or terrorist activity may include a violation of s. 815.06, F.S., relating to offenses against users of computers, computer systems, computer networks, and electronic devices, which is intended to: intimidate, injure, or coerce a civilian population; influence the policy of a government by intimidation or coercion; or affect

⁸ DNI, *Section 702 Overview*, available at <https://www.dni.gov/files/icotr/Section702-Basics-Infographic.pdf> (last visited February 9, 2026).

⁹ See 50 U.S.C. § 1801.

¹⁰ See 50 U.S.C. § 1801(b).

¹¹ See 50 U.S.C. § 1804.

¹² FBI, *How We Investigate*, available at <https://www.fbi.gov/how-we-investigate/intelligence> (last visited February 9, 2026).

¹³ Title 50 U.S.C. § 1806.

the conduct of government through destruction of property, assassination, murder, kidnapping, or aircraft piracy.¹⁴

Florida law has created within the FDLE the Florida Domestic Security and Counter-Terrorism Intelligence Center (intelligence center). The Florida Domestic Security and Counter-Terrorism Database (database) is created within the intelligence center.¹⁵

The intelligence center must:

- Gather, document, and analyze criminal intelligence and criminal investigative information related to terrorism, including information related to individuals or groups that plot, plan, or coordinate acts of terrorism, and that operate within this state or otherwise commit acts affecting this state;
- Maintain and operate the database; and
- Provide support and assistance to federal, state, and local law enforcement agencies and prosecutors that investigate or prosecute terrorism.¹⁶

The target of intelligence investigations are terrorist groups or individual operations plotted within or targeting the state of Florida.¹⁷ The database must include active criminal intelligence information and active criminal investigative information submitted by federal, state, or local law enforcement agencies and prosecutors, and information that is available from other law enforcement databases. Additionally, the database must be capable of performing data review and processing that may reveal patterns, trends, and correlations indicative of potential or actual terrorism activity within or affecting Florida.¹⁸

Section 943.03101, F.S., further promotes the collaboration and coordination of state and local law enforcement agencies with federal law enforcement agencies through the FDLE working closely with the Department of Emergency Management.

Additionally, the FDLE has established regional domestic security task forces, which must serve in an advisory capacity to the FDLE and the Chief of Domestic Security and must provide support to the FDLE in its performance of functions pertaining to domestic security. Each task force must coordinate efforts to counter terrorism and cooperate with and provide assistance to the federal government in the enforcement of federal immigration laws.¹⁹ The Chief of Domestic Security must:

- Coordinate the efforts of the FDLE in the ongoing assessment of the state's vulnerability to, and the ability to detect, prevent, prepare for, respond to, and recover from, acts of terrorism within or affecting this state and immigration enforcement incidents within or affecting the state.
- Prepare recommendations for the Governor, the president of the Senate, and the Speaker of the House of Representatives, which are based upon ongoing assessment to limit the vulnerability of the state to terrorism and immigration enforcement incidents.

¹⁴ Section 775.30, F.S.

¹⁵ Section 943.0321, F.S.

¹⁶ Section 943.0321, F.S.

¹⁷ Section 943.0321(2)(a), F.S.

¹⁸ Section 943.0321, F.S.

¹⁹ Section 943.0312, F.S.

- Coordinate the collection of proposals to limit the vulnerability of the state to terrorism.
- Use regional task forces to support the duties of the FDLE.
- Use public or private resources to perform the duties assigned to the FDLE.

Domestic Security Oversight Council

Section 943.0313, F.S., creates the Domestic Security Oversight Council (council) as an advisory council to execute the direction and leadership to state law enforcement agencies regarding incident prevention, preparation, protection, response and recovery efforts.

The council serves as an advisory council to provide guidance to the state's regional domestic security task forces and other domestic security working groups. Additionally, the council makes recommendations to the Governor and the Legislature regarding the expenditure of funds and allocation of resources related to counter-terrorism and cooperating with and providing assistance to the Federal Government in the enforcement of federal immigration laws and domestic security efforts.²⁰ The council must, in part:

- Review the development, maintenance, and operation of a comprehensive multidisciplinary domestic security strategy that will guide the state's prevention preparedness, protection, response, and recovery efforts against terrorist attacks and immigration enforcement incidents and make appropriate recommendations to ensure the implementation of that strategy.
- Review and recommend approval of statewide policies and operational protocols that support the domestic security efforts of the regional domestic security task forces and state agencies.
- Review the overall statewide effectiveness of domestic security efforts, counter-terrorism efforts, and efforts of coordinating with and providing assistance to the Federal Government in the enforcement of federal immigration laws in order to provide suggestions to improve or enhance those efforts.
- Review efforts within the state to better secure state and local infrastructure against terrorist attack or immigration enforcement incidents and make recommendations to enhance the effectiveness of such efforts.²¹

Florida Fusion Center

Florida's Fusion Center (FFC) is located in Tallahassee, Fl, and is a collaborative effort of state, local, tribal territorial and federal agencies working together to share resources, expertise, and/or information to better identify, detect, prevent, apprehend and respond to threats, crimes and terrorist activity utilizing an all crimes/all hazards approach.

The mission of the FFC is to protect citizens, visitors, resources, and critical infrastructure of Florida by enhancing information sharing, intelligence, capabilities, and preparedness operations for all local, state, and federal agencies in accordance with Florida's Domestic Security Strategy. The FFC works together statewide on gathering, processing, analyzing, and disseminating terrorism, law enforcement, and homeland security information.²²

²⁰ Section 943.0313, F.S.

²¹ Section 943.0313(5), F.S.

²² FDLE, The Florida Fusion Center, available at <https://www.fdle.state.fl.us/ffc/ffc> (last visited February 9, 2026).

III. Effect of Proposed Changes:

The bill creates s. 943.0316, F.S., to establish the Statewide Counterintelligence and Counterterrorism Unit, whose primary goal is to conduct statewide counterintelligence and counterterrorism activities to detect, identify, neutralize, and exploit adversary intelligence entities, international and domestic terrorists, insider threats, corporate threats, and other foreign adversaries to protect this state and the United States of America.

Adversary intelligence includes but is not limited to, any national, foreign, multinational, friendly, competitor, opponent, adversary, or recognized enemy government or nongovernmental organization, company, business, corporation, consortium, group, agency, cell, terrorist, insurgent, guerrilla entity, or person whose demonstrated actions, views, or opinions are a threat or are inimical to the interests of this state and of the United States of America.

The FDLE must establish and administer the Statewide Counterintelligence and Counterterrorism Unit, which will be housed at the FDLE's regional operational center. A team from the unit will be assigned to and aligned with each regional domestic security task force.

The unit must identify threats by analyzing patterns of life, gathering actionable intelligence, and formulating effective plans of action, and by executing arrests or by revealing its intent to compel a response using all counterintelligence and counterterrorism tradecraft necessary to protect Florida from adversary intelligence entities.

The unit may conduct direct action missions on its own against a threat or may incorporate with or into other units to counteract and stop identifiable threats.

The bill directs the FDLE to create an initial team of 10 people by July 1, 2027, whose main purpose is to serve as the initial leadership and organizational core of the full unit. Additionally, the FDLE must establish a full unit consisting of at least seven teams. Each team must be assigned to each regional domestic security task force.

Each team must perform tasks in support of the state's domestic security mission including but not limited to:

- Providing technical operations to insider threat investigations, and
- Assigning team officers to safeguard the state from adversary intelligence entities by using counterintelligence to detect, identify, assess, and counteract threats posed by such entities.

At minimum, each team must be composed of:

- A team leader who is an assistant special agent in charge;
- A facility security officer who is a special agent supervisor with counterintelligence experience, to be assigned four intelligence analysts; and
- A deputy team leader who is a special agent supervisor, to be assigned six counterintelligence agents, one of whom must be a regional federal liaison officer, and one of whom must be a local liaison officer.

Team members must:

- Have been, or received formal training in any United States government agency, have served as a United States servicemember, or have experience with any law enforcement agency as an officer, agent, analyst, or operative serving in intelligence, counterintelligence, or counterterrorism; or
- Have at least 3 years of experience of actively working in the fields of intelligence, counterintelligence, or counterterrorism.

Each fiscal year, the FDLE must request the appropriate number of positions and funding required for each position in order to be fully staffed by December 30, 2033.

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:

The First Amendment to the United States Constitution provides that “Congress shall make no law... abridging the freedom of speech.. or the right of the people peaceably to assemble.” The bill appears to authorize intelligence and counterterrorism activities based on persons or entities actions, views, or opinions which are “inimical to the interest of this state and the United States of America,” which may subject the bill to challenges under the First Amendment.

The Supremacy Clause provides that federal law “shall be the supreme Law of the Land,” U.S. Const. art. VI, cl. 2, and the Constitution commits primary authority over foreign relations and national security to the federal political branches. It is unclear whether the unit may only investigate and effectuate arrests for incidents that occur in or affect the state of Florida; if the unit is authorized to investigate or effectuate arrests on incidents that occur outside of the state and have no affect on the state, the bill may be subject to challenges.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill requires the FDLE to create a new unit, to be fully staffed by 2033. A 10 person team must be established by July 1, 2027. The addition of this unit including personnel and operational cost will have a negative fiscal impact on the FDLE.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates the following sections of the Florida Statutes: 943.0316

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.

By Senator Martin

33-00715-26

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A bill to be entitled

An act relating to the Statewide Counterintelligence and Counterterrorism Unit; creating s. 943.0316, F.S.; providing legislative intent; defining the term "adversary intelligence entity"; requiring the Department of Law Enforcement to establish and administer a Statewide Counterintelligence and Counterterrorism Unit at a specified location; requiring that a team from the unit be assigned to and aligned with each regional domestic security task force; specifying unit duties; requiring the department to create a team by a specified date to serve as the initial leadership and organizational core of the full unit; requiring the department to establish a statewide unit housed in a specified location; requiring that the unit be composed of a specified number of teams; requiring the department to annually request a certain number of positions and amount of funding for each position in order to achieve full staffing by a specified date; specifying team tasks, composition, and experience requirements; providing an effective date.

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

Section 1. Section 943.0316, Florida Statutes, is created to read:
943.0316 Statewide Counterintelligence and Counterterrorism Unit.

Page 1 of 4

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

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(1) It is the intent of the Legislature to establish a dedicated counterintelligence and counterterrorism unit whose primary goal is to conduct statewide counterintelligence and counterterrorism activities to detect, identify, neutralize, and exploit adversary intelligence entities, international and domestic terrorists, insider threats, corporate threats, and other foreign adversaries to protect this state and the United States of America.

(2) As used in this section, the term "adversary intelligence entity" includes, but is not limited to, any national, foreign, multinational, friendly, competitor, opponent, adversary, or recognized enemy government or nongovernmental organization, company, business, corporation, consortium, group, agency, cell, terrorist, insurgent, guerrilla entity, or person whose demonstrated actions, views, or opinions are a threat or are inimical to the interests of this state and the United States of America.

(3) The Department of Law Enforcement shall establish and administer a Statewide Counterintelligence and Counterterrorism Unit housed at the department's regional operational center, with a team from the unit assigned to and aligned with each regional domestic security task force established under s. 943.0312. The unit shall identify threats by analyzing patterns of life, gathering actionable intelligence, and formulating effective plans of action, and by executing arrests or by revealing its intent to compel a response using all counterintelligence and counterterrorism tradecraft necessary to protect the state from adversary intelligence entities. The unit may conduct direct action missions on its own against a threat

Page 2 of 4

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

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or may incorporate with or into other units to counteract and stop identifiable threats.

(4) The department shall:

(a) Create a 10-person team by July 1, 2027, whose main purpose is to serve as the initial leadership and organizational core of the full unit;

(b) Establish a statewide unit, housed at the department's regional operational center which must be composed of at least seven teams, with a team being assigned to each regional domestic security task force; and

(c) Each fiscal year, request the appropriate number of positions and funding required for each position in order to be fully staffed no later than December 30, 2033.

(5) (a) Each team shall perform tasks in support of the state's domestic security mission, including, but not limited to, providing technical operations to insider threat investigations and assigning team officers to safeguard the state from adversary intelligence entities by using counterintelligence to detect, identify, assess, and counteract threats posed by such entities.

(b) Each team must, at a minimum, be composed of all of the following:

1. A team leader who is an assistant special agent in charge;

2. A facility security officer who is a special agent supervisor with counterintelligence experience, to be assigned four intelligence analysts; and

3. A deputy team leader who is a special agent supervisor, to be assigned six counterintelligence agents, one of whom must

33-00715-26

20261712

be a regional federal liaison officer, one of whom must be a regional state liaison officer, and one of whom must be a local liaison officer.

(c) Each team member must:

1. Have been a member of or have received formal training in any United States government agency, have served as a United States servicemember, or have experience with any law enforcement agency as an officer, agent, analyst, or operative serving in intelligence, counterintelligence, or counterterrorism; or

2. Have at least 3 years of experience of actively working in the fields of intelligence, counterintelligence, or counterterrorism.

Section 2. This act shall take effect July 1, 2026.

1946

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

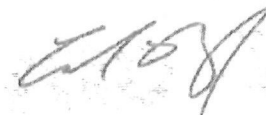
Kimberly S. Banks

is duly appointed a member of the

**Board of Directors,
Prison Rehabilitative Industries and Diversified
Enterprises,
Inc.**

for a term beginning on the Eleventh day of September, A.D.,
2025, until the Thirtieth day of September, A.D., 2028 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Thirtieth day of October, A.D., 2025.*



Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.



RON DeSANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2025 SEP 17 PM 12:39
DIVISION OF ELECTIONS
TALLAHASSEE, FL

September 11, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 946.504, Florida Statutes:

Ms. Kimberly Banks
1949 Celtic Road
Tallahassee, Florida 32317

as a member of the Prison Rehabilitative Industries and Diversified Enterprises, Inc. Board of Directors, filling a vacant seat previously occupied by Robert Adamiak, subject to confirmation by the Senate. This appointment is effective September 11, 2025, for a term ending September 30, 2028.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/dw

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2025 OCT 28 PM 4:38

OATH OF OFFICE DIVISION OF ELECTIONS
(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes) TALLAHASSEE, FL

STATE OF FLORIDA

County of Leon

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

the Prison Rehabilitative Industries and Diversified Enterprises (P.R.I.D.E.), Inc. Board of Directors

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.

Signature [Signature]

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 27th day of October, 2025.

[Signature]
Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath – see § 92.50, Florida Statutes.)

Print Name _____

Title _____

Court _____

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced FLDL B302-511-79-602-0

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒ Office ☐

1949 Celtic Road

Street or Post Office Box _____

Tallahassee, Florida, 32317

City, State, Zip Code _____

Kimberly S. Banks

Print Name _____

Signature [Signature]

1940

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

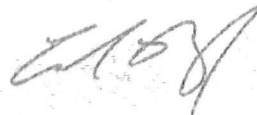
John Willis Whitehurst

is duly appointed a member of the

**Board of Directors,
Prison Rehabilitative Industries and Diversified
Enterprises,
Inc.**

for a term beginning on the First day of October, A.D., 2025,
until the Thirtieth day of September, A.D., 2029 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Fourth day of October, A.D., 2025.*



Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



RON DESANTIS

GOVERNOR

RECEIVED
DEPARTMENT OF STATE

2025 SEP 17 PM 12:38

DIVISION OF ELECTIONS
TALLAHASSEE, FL

September 11, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following reappointment under the provisions of Section 946.504, Florida Statutes:

Mr. John "William" Whitehurst



as a member of the Prison Rehabilitative Industries and Diversified Enterprises, Inc. Board of Directors, subject to confirmation by the Senate. This appointment is effective October 1, 2025, for a term ending September 30, 2029.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/dw

RECEIVED

2025 OCT -6 PM 1:35
DIVISION OF ELECTIONS
TALLAHASSEE, FL

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

STATE OF FLORIDA

County of Walton

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Prison Rehabilitative Industries And Diversified Enterprises Board of Directors

(Full Name of Office - Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature [Signature]

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 1 day of OCTOBER, 2025.

[Signature]
Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath- see § 92.50, Florida Statutes.)

Eugen Lothar Newsome

Print Name

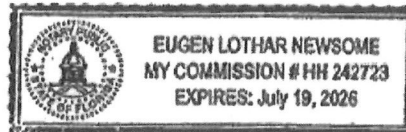
Notary Public

Title

Court

(To be completed by officer administering oath, other than judges - see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced FLDL

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒ Office ☐

[Redacted]

John. Willis Whitehurst

Street or Post Office Box

[Redacted]

Print Name

City, State, Zip Code

[Signature]
Signature

1940

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

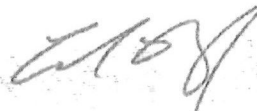
James R. Upchurch

is duly appointed a member of the

**Board of Directors,
Prison Rehabilitative Industries and Diversified
Enterprises,
Inc.**

for a term beginning on the First day of October, A.D., 2025,
until the Thirtieth day of September, A.D., 2029 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Sixth day of November, A.D., 2025.*



Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



RON DESANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2025 SEP 17 PM 12:39
DIVISION OF ELECTIONS
TALLAHASSEE, FL

September 11, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following reappointment under the provisions of Section 946.504, Florida Statutes:

Mr. James Upchurch



as a member of the Prison Rehabilitative Industries and Diversified Enterprises, Inc. Board of Directors, subject to confirmation by the Senate. This appointment is effective October 1, 2025, for a term ending September 30, 2029.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/dw

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

STATE OF FLORIDA

County of Leon

RECEIVED
DEPARTMENT OF STATE

2025 OCT 3 PM 1:39

DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Prison Rehabilitative Industries and Diversified Enterprises Board of Directors

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

James R. Upchurch

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 31st day of October, 2025.

[Signature]

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath – see § 92.50, Florida Statutes.)

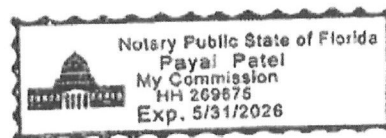
Print Name

Title

Court

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced FDOL

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒ Office ☐

[Redacted]
Street or Post Office Box

[Redacted]
City, State, Zip Code

James R. Upchurch

Print Name

Signature

James R. Upchurch

1940

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Denver J. Stutler, Jr.

is duly appointed a member of the

**Board of Directors,
Prison Rehabilitative Industries and Diversified
Enterprises,
Inc.**

for a term beginning on the Eleventh day of September, A.D.,
2025, until the Thirtieth day of September, A.D., 2028 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Seventeenth day of December, A. D., 2025.*

A handwritten signature in dark ink, appearing to read 'C. Byrd', is written over a faint circular stamp.

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.



RON DeSANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE

2025 SEP 17 PM 12:39

DIVISION OF ELECTIONS
TALLAHASSEE, FL

September 11, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 946.504, Florida Statutes:

Mr. Denver Stutler Jr.
P.O. Box 15466
Sarasota, Florida 34277

as a member of the Prison Rehabilitative Industries and Diversified Enterprises, Inc. Board of Directors, succeeding Shawn Bush, subject to confirmation by the Senate. This appointment is effective September 11, 2025, for a term ending September 30, 2028.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/dw

Hand Delivered

RECEIVED

DECLARATION

OATH OF OFFICE

DEC 11 PM 1:37

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

ROBERT E. ELLIOTT
TALLAHASSEE, FL

STATE OF FLORIDA

County of Leon

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Board of Director, Prison Rehabilitative Industries and Diversified Enterprises, Inc.

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature _____

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 11 day of December, 2025.

Alexis Poitras
Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath – see § 92.50, Florida Statutes.)

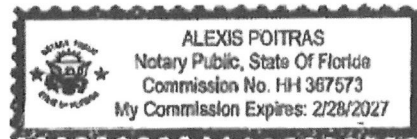
Print Name _____

Title _____

Court _____

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐
Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒ Office ☐

PO Box 15466

Street or Post Office Box

Sarasota, FL 34277

City, State, Zip Code

Denver J Stutler, Jr

Print Name

[Signature]
Signature

1946

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

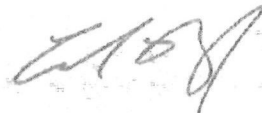
David E. Kilcrease

is duly appointed a member of the

**Board of Directors,
Prison Rehabilitative Industries and Diversified
Enterprises,
Inc.**

for a term beginning on the Eleventh day of September, A.D.,
2025, until the Thirtieth day of September, A.D., 2026 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Fourth day of October, A.D., 2025.*



Secretary of State



RON DeSANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2025 SEP 17 PM 12:39
DIVISION OF ELECTIONS
TALLAHASSEE, FL

September 11, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 946.504, Florida Statutes:

Mr. David Kilcrease



as a member of the Prison Rehabilitative Industries and Diversified Enterprises, Inc.
Board of Directors, succeeding Harry Nicklaus, subject to confirmation by the Senate.
This appointment is effective September 11, 2025, for a term ending September 30, 2026.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/dw

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

RECEIVED
DEPARTMENT OF STATE

2025 OCT 22 AM 9:07

STATE OF FLORIDA

County of Duval

DIVISION OF ELECTIONS
TALLAHASSEE, FL

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Prison Rehabilitative Industries and Diversified Enterprises, Inc Board of Directors Member

(Full Name of Office - Abbreviations Not Accepted)

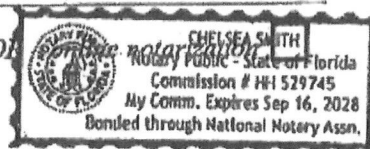
on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature [Signature]

Sworn to and subscribed before me by means of physical presence ☒ OR
this 10 day of October, 2025.

Chelsea Smith



Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath - see § 92.50, Florida Statutes.)

Print Name _____

Title _____

Court _____

(To be completed by officer administering oath, other than judges - see § 92.50, Florida Statutes.)

Affix Seal Below

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☐

Office ☐

Street or Post Office Box

City, State, Zip Code

David E. Kilcrease

Print Name

Signature [Signature]

1940

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

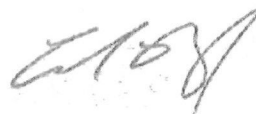
I, Cord Byrd, Secretary of State,
do hereby certify that

Cory Godwin

is duly appointed a member of the
**Board of Directors,
Prison Rehabilitative Industries and Diversified
Enterprises,
Inc.**

for a term beginning on the Eleventh day of September, A.D.,
2025, until the Thirtieth day of September, A.D., 2026 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the First day of December, A.D., 2025.*



Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document



RON DeSANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2025 SEP 17 PM 12:39
DIVISION OF ELECTIONS
TALLAHASSEE, FL

September 11, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 946.504, Florida Statutes:

Mr. Cory Godwin



as a member of the Prison Rehabilitative Industries and Diversified Enterprises, Inc. Board of Directors, succeeding David Hauser, subject to confirmation by the Senate. This appointment is effective September 11, 2025, for a term ending September 30, 2026.

Sincerely,

A handwritten signature in black ink, appearing to read "R. DeSantis".

Ron DeSantis
Governor

RD/dw

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

RECEIVED
DEPARTMENT OF STATE
2025 NOV 21 PM 1:17
DIVISION OF ELECTIONS
TALLAHASSEE, FL

STATE OF FLORIDA

County of Walters

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Board of Directors, Prison Rehabilitative Industries and Diversified Enterprise

(Full Name of Office - Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature [Signature]

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 14 day of November, 2025.

Brooke Hoke

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath - see § 92.50, Florida Statutes.)

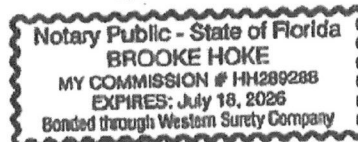
Print Name _____

Title _____

Court _____

(To be completed by officer administering oath, other than judges - see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒ Office ☐

[Redacted]
Street or Post Office Box

[Redacted]
City, State, Zip Code

Corey Godwin
Print Name

[Signature]
Signature

1940

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Alan Garey

is duly appointed a member of the

**Board of Directors,
Prison Rehabilitative Industries and Diversified
Enterprises,
Inc.**

for a term beginning on the First day of October, A.D., 2025,
until the Thirtieth day of September, A.D., 2029 and is subject
to be confirmed by the Senate during the next regular session of
the Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Tenth day of December, A.D., 2025.*

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document



RON DESANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2025 SEP 17 PM 12:40
DIVISION OF ELECTIONS
TALLAHASSEE, FL

September 11, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following reappointment under the provisions of Section 946.504, Florida Statutes:

Mr. Alan Garey
4300 Coral Ridge Drive
Coral Springs, Florida 33065

as a member of the Prison Rehabilitative Industries and Diversified Enterprises, Inc. Board of Directors, subject to confirmation by the Senate. This appointment is effective October 1, 2025, for a term ending September 30, 2029.

Sincerely,

A handwritten signature of Ron DeSantis in black ink.

Ron DeSantis
Governor

RD/dw

RECEIVED

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

2025 DEC -8 PM 4: 58

STATE OF FLORIDA

County of Broward

DIVISION OF ELECTIONS
TALLAHASSEE, FL.

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Prison Rehabilitative Industries and Diversified Enterprises, Inc. Board of Directors

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature Alan T. Garey

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 31 day of December, 2025.

Monica Devi
Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath— see § 92.50, Florida Statutes.)

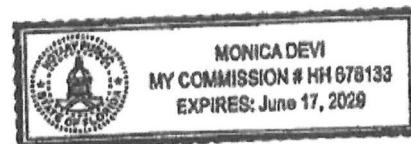
Print Name

Title

Court

(To be completed by officer administering oath, other than judges— see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☐ Office ☒

4300 Coral Ridge Drive

Street or Post Office Box

Coral Springs, FL 33065

City, State, Zip Code

Alan Garey

Print Name

Signature Alan T. Garey

1940

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Gino Collura

is duly appointed a member of the

**Board of Directors,
Prison Rehabilitative Industries and Diversified
Enterprises,
Inc.**

for a term beginning on the Eleventh day of September, A.D.,
2025, until the Thirtieth day of September, A.D., 2027 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fourteenth day of November, A.D., 2025.*

A handwritten signature in dark ink, appearing to read "C. Byrd".

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.



RON DeSANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2025 SEP 17 PM 12:39
DIVISION OF ELECTIONS
TALLAHASSEE, FL

September 11, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 946.504, Florida Statutes:

Dr. Gino Collura
13204 Palmilla Circle
Dade City, Florida 33525

as a member of the Prison Rehabilitative Industries and Diversified Enterprises, Inc. Board of Directors, succeeding Alan Garey, subject to confirmation by the Senate. This appointment is effective September 11, 2025, for a term ending September 30, 2027.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/dw

RECEIVED

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

2025 NOV 13 PM 1:54

DIVISION OF ELECTIONS
TALLAHASSEE, FL

STATE OF FLORIDA

County of Leon

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Prison Rehabilitative Industries and Diversified Enterprises Board
(Full Name of Office - Abbreviations Not Accepted) of Directors

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 12 day of November, 2025

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath - see § 92.50, Florida Statutes.)

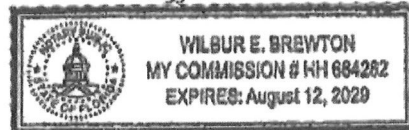
Print Name

Title

Court

(To be completed by officer administering oath, other than judges - see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☐ OR Produced Identification ☒
Type of Identification Produced Driver License

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒ Office ☐

13204 Palmilla Circle
Street or Post Office Box

Dade City, FL 33525
City, State, Zip Code

Print Name

Signature

Gino Collura

1940

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Cord Byrd, Secretary of State,
do hereby certify that

Marvin Walker Clemmons

is duly appointed a member of the

**Board of Directors,
Prison Rehabilitative Industries and Diversified
Enterprises,
Inc.**

for a term beginning on the Eleventh day of September, A.D.,
2025, until the Thirtieth day of September, A.D., 2028 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twentieth day of October, A.D., 2025.*

A handwritten signature, likely of Cord Byrd, is written in ink over the signature line.

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

State of Florida appears in small letters across the face of this 8 1/2 x 11" document.



RON DeSANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2025 SEP 17 PM 12:39
DIVISION OF ELECTIONS
TALLAHASSEE, FL

September 11, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 946.504 Florida Statutes:

Mr. Marvin "Walker" Clemmons
546 Northcreek Circle
Pensacola, Florida 32514

as a member of the Prison Rehabilitative Industries and Diversified Enterprises, Inc. Board of Directors, succeeding Tadar Muhammad, subject to confirmation by the Senate. This appointment is effective September 11, 2025, for a term ending September 30, 2028.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

RD/dw

RECEIVED

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

2025 OCT 10 PM 1:44

DIVISION OF ELECTIONS
TALLAHASSEE, FL

STATE OF FLORIDA

County of Escambia

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc
(Full Name of Office - Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature Marvin Walker Clemons

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 8 day of OCTOBER, 2025.

Sergio Melendez
Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath - see § 92.50, Florida Statutes.)

Print Name

Title

Court

(To be completed by officer administering oath, other than judges - see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☐ OR Produced Identification ☒

Type of Identification Produced FLORIDA DL

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☒ Office ☐

5416 North Creek Cir

Street or Post Office Box

Pensacola FL 32514

City, State, Zip Code

Marvin Walker Clemons

Print Name

Marvin Walker Clemons

Signature

1940

**STATE OF FLORIDA
DEPARTMENT OF STATE**

Division of Elections

I, Cord Byrd, Secretary of State,
do hereby certify that

James Baiardi

is duly appointed a member of the

**Board of Directors,
Prison Rehabilitative Industries and Diversified
Enterprises,
Inc.**

for a term beginning on the Eleventh day of September, A.D.,
2025, until the Thirtieth day of September, A.D., 2027 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.



*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Fourteenth day of November, A.D., 2025.*

A handwritten signature in dark ink, appearing to read "C. Byrd".

Secretary of State

DSDE 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.



RON DESANTIS
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2025 SEP 17 PM 12:39
DIVISION OF ELECTIONS
TALLAHASSEE, FL

September 11, 2025

Secretary Cord Byrd
Department of State
R.A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Byrd:

Please be advised I have made the following appointment under the provisions of Section 946.504, Florida Statutes:

Mr. James Baiardi



as a member of the Prison Rehabilitative Industries and Diversified Enterprises, Inc. Board of Directors, succeeding James Reeves, subject to confirmation by the Senate. This appointment is effective September 11, 2025, for a term ending September 30, 2027.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron DeSantis".
Ron DeSantis
Governor

RD/dw

RECEIVED

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.; § 92.50, Florida Statutes)

2025 SEP 24 PM 1:41

DIVISION OF ELECTIONS
TALLAHASSEE, FL

STATE OF FLORIDA

County of leon

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Prison Rehabilitative Industries and Diversified Enterprise Board of Directors

(Full Name of Office – Abbreviations Not Accepted)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Signature James Baiardi

Sworn to and subscribed before me by means of physical presence ☒ OR online notarization ☐
this 19th day of September, 2025

Deborah L Tully

Signature of Officer Administering Oath or of Notary Public

(To be completed only by judges administering oath – see § 92.50, Florida Statutes.)

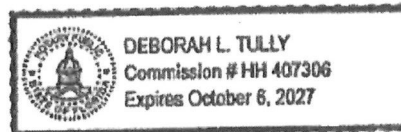
Print Name

Title

Court

(To be completed by officer administering oath, other than judges – see § 92.50, Florida Statutes.)

Affix Seal Below



Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home ☐

Office ☒

Street or Post Office Box

City, State, Zip Code

James Baiardi

Print Name

Signature