

1 A bill to be entitled  
2 An act relating to criminal justice; creating s.  
3 83.455, F.S.; defining the term "conditional offer";  
4 prohibiting a landlord from asking a prospective  
5 tenant about a criminal record before making a  
6 conditional offer; limiting offenses that may be  
7 considered after such an offer is made; specifying  
8 factors that may be considered before an offer may be  
9 withdrawn; providing procedures for withdrawal of an  
10 offer based on the rights of tenant; amending s.  
11 98.0751, F.S.; removing full payment of financial  
12 obligations from voting rights restoration  
13 requirements; amending s. 940.05, F.S.; providing that  
14 persons convicted of a felony shall have their rights  
15 of citizenship automatically restored to the extent  
16 that a federal elected official has such rights  
17 automatically restored following a felony conviction;  
18 creating s. 893.13501, F.S.; providing legislative  
19 intent; providing for the retroactive applicability of  
20 s. 893.135, F.S.; requiring the initial sentencing and  
21 the resentencing of certain persons who committed  
22 certain violations before a specified date which  
23 involved trafficking in hydrocodone or codeine;  
24 providing criminal penalties for such violations that  
25 are subject to an initial sentencing or a

26 | resentencing; providing legislative intent; providing  
27 | for the retroactive applicability of s. 893.135, F.S.;  
28 | requiring the initial sentencing and the resentencing  
29 | of certain persons who committed certain violations  
30 | before a specified date which involved trafficking in  
31 | oxycodone; providing criminal penalties for such  
32 | violations that are subject to an initial sentencing  
33 | or a resentencing; specifying procedures for such  
34 | resentencing; amending s. 921.1402, F.S.; revising the  
35 | definition of the term "juvenile offender" for  
36 | purposes of review of sentences of review of juvenile  
37 | sentences; providing for treatment of concurrent and  
38 | consecutive sentences; providing for retroactive  
39 | effect; creating s. 944.1915, F.S.; defining the term  
40 | "last known place of residence"; requiring the  
41 | Department of Corrections to provide specified data  
42 | concerning inmates to the Legislature for  
43 | redistricting purposes; providing requirements for  
44 | such data; specifying how such data shall be used in  
45 | redistricting; amending s. 960.293, F.S.; removing  
46 | provisions making inmates liable for correctional  
47 | costs in a specified liquidated damage amount for  
48 | incarceration; removing provisions specifying a fixed  
49 | daily amount for an offender's liability for  
50 | incarceration costs and other correctional costs for

51 offenders convicted of certain offenses; amending s.  
52 985.557, F.S.; revising the offenses for which a  
53 juvenile may be direct filed in adult court; requiring  
54 a judicial finding for discretionary direct file of  
55 juveniles; providing requirements for juveniles of  
56 specified ages; providing requirements for judicial  
57 findings; providing for return of juveniles to the  
58 juvenile division at any point during circuit court  
59 proceedings; providing an effective date.

60  
61 Be It Enacted by the Legislature of the State of Florida:

62  
63 **Section 1. Section 83.455, Florida Statutes, is created to**  
64 **read:**

65 83.455 Criminal record of tenants; inquiries limited;  
66 withdrawal of conditional offer.-

67 (1) As used in this section, the term "conditional offer"  
68 means an offer to rent or lease a rental dwelling unit to an  
69 applicant that is contingent on a subsequent inquiry into the  
70 applicant's criminal record, or any other eligibility criteria  
71 that the landlord may lawfully use.

72 (2) A landlord may not require an applicant to complete a  
73 housing application that includes any inquiries regarding an  
74 applicant's criminal record before the provision of a  
75 conditional offer, except that a landlord may consider whether

76 an applicant has ever been convicted of drug-related criminal  
77 activity for the manufacture or production of methamphetamine on  
78 the premises of federally assisted housing, and whether the  
79 applicant has ever been convicted of a felony offense.

80 (3) A landlord shall not make any oral or written inquiry  
81 regarding an applicant's criminal record before making a  
82 conditional offer.

83 (4) An applicant may provide evidence to the landlord  
84 demonstrating inaccuracies within the applicant's criminal  
85 record or evidence of rehabilitation or other mitigating  
86 factors.

87 (5) Before accepting any application fee, a landlord shall  
88 disclose in writing to the applicant:

89 (a) Whether the eligibility criteria of the landlord  
90 includes the review and consideration of criminal history.

91 (b) A statement that the applicant, pursuant to subsection  
92 (4), may provide evidence demonstrating inaccuracies within the  
93 applicant's criminal record or evidence of rehabilitation or  
94 other mitigating factors.

95 (6) A landlord shall apply the standards established by  
96 this section to each applicant in a nondiscriminatory manner.

97 (7) A landlord shall not, either before or after the  
98 issuance of a conditional offer, evaluate an applicant based on  
99 any of the following types of criminal records:

100 (a) Arrests or charges that have not resulted in a

101 criminal conviction;  
102 (b) Expunged convictions;  
103 (c) Convictions on appeal;  
104 (d) Vacated and otherwise legally nullified convictions;  
105 (e) Juvenile adjudications of delinquency;  
106 (f) Records that have been sealed; or  
107 (g) Criminal convictions arising from conduct committed  
108 outside of this state that, if committed within this state would  
109 not constitute a felony.

110 (8) After the issuance of a conditional offer to an  
111 applicant, a landlord may only consider a criminal record in the  
112 applicant's history that consists of a felony.

113 (9) A landlord may withdraw a conditional offer based on  
114 an applicant's criminal record only if the landlord determines,  
115 by preponderance of the evidence, that the withdrawal is  
116 necessary to fulfill a substantial, legitimate, and  
117 nondiscriminatory interest.

118 (10) If a landlord withdraws a conditional offer, the  
119 landlord shall provide the applicant with written notification  
120 that includes, with specificity, the reason or reasons for the  
121 withdrawal of the conditional offer and an opportunity to appeal  
122 the denial by providing evidence to the landlord demonstrating  
123 inaccuracies within the applicant's criminal record or evidence  
124 of rehabilitation or other mitigating factors. The landlord  
125 shall perform an individualized assessment of the application in

126 light of the following factors:

127 (a) The nature and severity of the criminal offense.

128 (b) The age of the applicant at the time of the occurrence  
129 of the criminal offense.

130 (c) The time which has elapsed since the occurrence of the  
131 criminal offense.

132 (d) Any information produced by the applicant, or produced  
133 on the applicant's behalf, in regard to the applicant's  
134 rehabilitation and good conduct since the occurrence of the  
135 criminal offense.

136 (e) The degree to which the criminal offense, if it  
137 reoccurred, would negatively impact the safety of the landlord's  
138 other tenants or property.

139 (f) Whether the criminal offense occurred on or was  
140 connected to property that was rented or leased by the  
141 applicant.

142 (11) (a) The applicant may request, within 30 days after  
143 the landlord's notice of the withdrawal, that the landlord  
144 afford the applicant a copy of all information that the landlord  
145 relied upon in considering the applicant, including criminal  
146 records.

147 (b) A landlord shall provide the information requested  
148 under paragraph (a), free of charge, within 10 days after  
149 receipt of a timely request.

150 **Section 2. Subsection (1) of section 98.0751, Florida**

151 **Statutes, is amended to read:**

152 98.0751 Restoration of voting rights; termination of  
153 ineligibility subsequent to a felony conviction.—

154 (1) A person who has been disqualified from voting based  
155 on a felony conviction for an offense other than murder or a  
156 felony sexual offense must have such disqualification terminated  
157 and his or her voting rights restored pursuant to s. 4, Art. VI  
158 of the State Constitution upon the completion of all terms of  
159 his or her sentence except for subparagraph (2)(a)5., including  
160 parole or probation. The voting disqualification does not  
161 terminate unless a person's civil rights are restored pursuant  
162 to s. 8, Art. IV of the State Constitution if the  
163 disqualification arises from a felony conviction of murder or a  
164 felony sexual offense, or if the person has not completed all  
165 terms of sentence, as specified in subsection (2).

166 **Section 3. Section 940.05, Florida Statutes, is amended to**  
167 **read:**

168 940.05 Restoration of civil rights.—

169 (1) Any person who has been convicted of a felony may be  
170 entitled to the restoration of all the rights of citizenship  
171 enjoyed by him or her before conviction if the person has:

172 (a)~~(1)~~ Received a full pardon from the Board of Executive  
173 Clemency;

174 (b)~~(2)~~ Served the maximum term of the sentence imposed  
175 upon him or her; or

176 (c)~~(3)~~ Been granted his or her final release by the  
 177 Florida Commission on Offender Review.

178 (2) Subsection (1) notwithstanding, a person convicted of  
 179 a felony shall have his or her rights of citizenship restored  
 180 automatically to the extent that any federal elected official or  
 181 former federal elected official has his or her rights of  
 182 citizenship restored automatically following a felony  
 183 conviction.

184 **Section 4. Section 893.13501, Florida Statutes, is created**  
 185 **to read:**

186 893.13501 Retroactive application relating to s. 893.135;  
 187 legislative intent; sentencing or resentencing for trafficking  
 188 in hydrocodone, codeine, or oxycodone; penalties; resentencing  
 189 procedures.-

190 (1) It is the intent of the Legislature to retroactively  
 191 apply changes to gram-weight thresholds and ranges and to  
 192 penalties for trafficking in hydrocodone or codeine which are  
 193 applicable to offenders who committed these offenses on or after  
 194 October 1, 2019, the effective date of amendments to s. 893.135  
 195 by chapter 2019-167, Laws of Florida.

196 (a) If a violation of s. 893.135(1)(c) involving  
 197 trafficking in hydrocodone, as described in s. 893.03(2)(a)1.k.;  
 198 trafficking in codeine, as described in s. 893.03(2)(a)1.g.; or  
 199 trafficking in any salt of hydrocodone or of codeine or any  
 200 mixture containing any such substance, as described in s.

201 893.03(2)(a)2., was committed before October 1, 2019, and was  
202 punishable as a felony of the first degree at the time the  
203 violation was committed, the changes must be retroactively  
204 applied as provided in this subsection.

205 (b) A person who committed a trafficking violation  
206 described in paragraph (a) before October 1, 2019, but who was  
207 not sentenced for such violation before July 1, 2025, must be  
208 sentenced as provided in paragraph (d).

209 (c) A person who committed a trafficking violation  
210 described in paragraph (a) before October 1, 2019, and who is  
211 -serving a mandatory minimum term of imprisonment for such  
212 violation on or after July 1, 2025, must be resentenced as  
213 provided in paragraph (d) and in accordance with subsection (3).

214 (d)1. A violation described in paragraph (a) for which the  
215 person is to be sentenced or resentenced pursuant to this  
216 subsection is a felony of the first degree, punishable as  
217 provided in s. 775.082, s. 775.083, or s. 775.084.

218 2. If the quantity of hydrocodone, as described in s.  
219 893.03(2)(a)1.k., codeine, as described in s. 893.03(2)(a)1.g.,  
220 any salt thereof, or any mixture containing any such substance  
221 involved in the violation of s. 893.135:

222 a. Was 4 grams or more, but less than 28 grams, such  
223 person must be sentenced or resentenced as provided in s.  
224 775.082, s. 775.083, or s. 775.084.

225 b. Was 28 grams or more, but less than 50 grams, such

226 person must be sentenced or resentenced to a mandatory minimum  
227 term of imprisonment of 3 years and ordered to pay a fine of  
228 \$50,000.

229 c. Was 50 grams or more, but less than 100 grams, such  
230 person must be sentenced or resentenced to a mandatory minimum  
231 term of imprisonment of 7 years and ordered to pay a fine of  
232 \$100,000.

233 d. Was 100 grams or more, but less than 300 grams, such  
234 person must be sentenced or resentenced to a mandatory minimum  
235 term of imprisonment of 15 years and ordered to pay a fine of  
236 \$500,000.

237 e. Was 300 grams or more, but less than 30 kilograms, such  
238 person must be sentenced or resentenced to a mandatory minimum  
239 term of imprisonment of 25 years and ordered to pay a fine of  
240 \$500,000 if the trafficking involves hydrocodone, any salt  
241 thereof, or any mixture containing hydrocodone; or to pay a fine  
242 of \$750,000 if the trafficking involves codeine, any salt  
243 thereof, or any mixture containing codeine.

244 (2) It is the intent of the Legislature to retroactively  
245 apply the changes to gram-weight thresholds and ranges and to  
246 penalties for trafficking in oxycodone which are applicable to  
247 offenders who committed this offense on or after July 1, 2014,  
248 the effective date of amendments to s. 893.135 by chapter 2014-  
249 176, Laws of Florida.

250 (a) If a violation of s. 893.135(1)(c) involving

251 trafficking in oxycodone, as described in s. 893.03(2)(a)1.q.,  
252 any salt thereof, or any mixture containing any such substance  
253 was committed before July 1, 2014, and was punishable as a  
254 felony of the first degree at the time the violation was  
255 committed, the changes must be retroactively applied as provided  
256 in this subsection.

257 (b) A person who committed a trafficking violation  
258 described in paragraph (a) before July 1, 2014, but who was not  
259 sentenced for such violation before July 1, 2025, must be  
260 sentenced as provided in paragraph (d).

261 (c) A person who committed a trafficking violation  
262 described in paragraph (a) before July 1, 2014, and who is  
263 -serving a mandatory minimum term of imprisonment for such  
264 violation on or after July 1, 2025, must be resentenced as  
265 provided in paragraph (d) and in accordance with subsection (3).

266 (d)1. A violation described in paragraph (a) for which the  
267 person is to be sentenced or resentenced pursuant to this  
268 subsection is a felony of the first degree, punishable as  
269 provided in s. 775.082, s. 775.083, or s. 775.084.

270 2. If the quantity of oxycodone, as described in s.  
271 893.03(2)(a)1.q., any salt thereof, or any mixture containing  
272 any such substance involved in the violation of s. 893.135:

273 a. Was 4 grams or more, but less than 7 grams, such person  
274 must be sentenced or resentenced as provided in s. 775.082, s.  
275 775.083, or s. 775.084.

276 b. Was 7 grams or more, but less than 14 grams, such  
277 person must be sentenced or resentenced to a mandatory minimum  
278 term of imprisonment of 3 years and ordered to pay a fine of  
279 \$50,000.

280 c. Was 14 grams or more, but less than 25 grams, such  
281 person must be sentenced or resentenced to a mandatory minimum  
282 term of imprisonment of 7 years and ordered to pay a fine of  
283 \$100,000.

284 d. Was 25 grams or more, but less than 100 grams, such  
285 person must be sentenced or resentenced to a mandatory minimum  
286 term of imprisonment of 15 years and ordered to pay a fine of  
287 \$500,000.

288 e. Was 100 grams or more, but less than 30 kilograms, such  
289 person must be sentenced or resentenced to a mandatory minimum  
290 term of imprisonment of 25 years and ordered to pay a fine of  
291 \$500,000.

292 (3) Resentencing under this section must occur in the  
293 following manner:

294 (a) The Department of Corrections shall notify the person  
295 described in paragraph (1)(c) or paragraph (2)(c) of his or her  
296 eligibility to request a sentence review hearing.

297 (b) The person seeking sentence review under this section  
298 may submit an application to the court of original jurisdiction  
299 requesting that a sentence review hearing be held. The  
300 sentencing court retains original jurisdiction for the duration

301 of the sentence for this purpose.

302 (c) A person eligible for a sentence review hearing under  
303 this section is entitled to be represented by counsel, and the  
304 court must appoint a public defender to represent the person if  
305 he or she cannot afford an attorney.

306 (d) Upon receiving an application from the eligible  
307 person, the court of original sentencing jurisdiction shall hold  
308 a sentence review hearing to determine if the eligible person  
309 meets the criteria for resentencing under this section. If the  
310 court determines at the sentence review hearing that the  
311 eligible person meets the criteria in this section for  
312 resentencing, the court must resentence the person as provided  
313 in this section; however, the new sentence may not exceed the  
314 person's original sentence with credit for time served. If the  
315 court determines that such person does not meet the criteria for  
316 resentencing under this section, the court must provide written  
317 reasons why such person does not meet such criteria.

318 **Section 5. Subsection (1) of section 921.1402, Florida**  
319 **Statutes, is amended and subsections (8) and (9) are added to**  
320 **that section, to read:**

321 921.1402 Review of sentences for persons convicted of  
322 ~~specified~~ offenses committed while under the age of 18 years.—

323 (1) For purposes of this section, the term "juvenile  
324 offender" means a person sentenced to imprisonment in the  
325 custody of the Department of Corrections for an offense

326 committed ~~on or after July 1, 2014, and committed~~ before he or  
327 she attained 18 years of age.

328 (8) Concurrent and consecutive sentences shall be treated  
329 as a single sentence.

330 (9) It is the intent of the legislature that this statute  
331 be applied retroactively to all juvenile offenders.

332 **Section 6. Section 944.1915, Florida Statutes, is created**  
333 **to read:**

334 944.1915 Prisoner data for redistricting purposes; duties  
335 of department.—

336 (1) As used in this section, the term "last known place of  
337 residence" means the most recent residential address of an  
338 inmate before the inmate's most current term of incarceration  
339 that is sufficiently specific to be assigned to a census block,  
340 as determined from information furnished by the department in  
341 accordance with this section. In the case of an inmate for whom  
342 residential address information is available but is not  
343 sufficiently specific to allow the address to be assigned to a  
344 census block, the "last known place of residence" means a  
345 randomly determined census block located within the smallest  
346 geographical area that can be identified based on the  
347 residential address information furnished by the department.

348 (2) Beginning in 2030 and in each year ending in the  
349 number zero thereafter, the department shall furnish to the  
350 Legislature, in the form of a single electronic file for each

351 database maintained by the department, information regarding  
352 each inmate incarcerated in a state correctional facility on the  
353 decennial Census Day. This information shall be furnished not  
354 sooner than the decennial Census Day and not later than 90 days  
355 after the decennial Census Day.

356 (3) The information furnished by the department under  
357 subsection (2) shall include the following for each inmate:

358 (a) A unique identifier, other than the inmate's name or  
359 department number.

360 (b) Any information maintained by the department about the  
361 residential address or addresses at which the inmate was  
362 domiciled before the inmate's most current term of  
363 incarceration, including any available information about the  
364 date on which each address was added to records maintained by  
365 the department. If the department does not have any residential  
366 address information for an inmate, the information furnished by  
367 the department shall state that fact.

368 (c) The inmate's ethnicity, as identified by the inmate,  
369 and the inmate's race, to the extent such information is  
370 maintained by the department.

371 (d) The address of the correctional facility where the  
372 inmate is incarcerated on the decennial Census Day.

373 (4) The department shall exclude all inmates in federal  
374 custody in a facility within this state from the information  
375 furnished pursuant to this section.

376       (5) In order to comply with its obligation to ensure that  
377 a complete and accurate computerized database is available for  
378 redistricting, the Legislature shall ensure that the information  
379 provided by the department is included in computerized  
380 redistricting database.

381       (6) The Legislature shall deem each incarcerated person as  
382 residing at that person's last known place of residence, rather  
383 than at the institution of that person's incarceration, and  
384 shall use the information furnished to it pursuant to this  
385 section in carrying out its redistricting responsibilities under  
386 the state constitution. The Legislature, when it uses  
387 information regarding inmates that is furnished pursuant to this  
388 section, shall:

389       (a) Deem an inmate incarcerated in a state correctional  
390 facility for whom the last known place of residence is either  
391 outside this state or cannot be determined to reside at an  
392 unknown geographical location in the state and exclude the  
393 inmate from the population count for any district or precinct.

394       (b) Adjust race and ethnicity data in districts and  
395 precincts that contain prisons in a manner that reflects  
396 reductions in the local population as inmates are included in  
397 the population count of the district or precinct of their last  
398 known place of residence and, to the extent practicable, those  
399 deemed to reside at an unknown geographic location.

400       **Section 7. Subsection (2) of section 960.293, Florida**

401 **Statutes, is amended to read:**

402 960.293 Determination of damages and losses.—

403 ~~(2) Upon conviction, a convicted offender is liable to the~~  
404 ~~state and its local subdivisions for damages and losses for~~  
405 ~~incarceration costs and other correctional costs.~~

406 ~~(a) if the conviction is for a capital or life felony, the~~  
407 ~~convicted offender is liable for incarceration costs and other~~  
408 ~~correctional costs in the liquidated damage amount of \$250,000.~~

409 ~~(b) If the conviction is for an offense other than a~~  
410 ~~capital or life felony, a liquidated damage amount of \$50 per~~  
411 ~~day of the convicted offender's sentence shall be assessed~~  
412 ~~against the convicted offender and in favor of the state or its~~  
413 ~~local subdivisions. Damages shall be based upon the length of~~  
414 ~~the sentence imposed by the court at the time of sentencing.~~

415 **Section 8. Section 985.557, Florida Statutes, is amended**  
416 **to read:**

417 985.557 Direct filing of an information; discretionary  
418 criteria.—

419 (1) DISCRETIONARY DIRECT FILE.—

420 (a) With respect to any child who was 14 or 15 years of  
421 age at the time the alleged offense was committed, the state  
422 attorney may file an information after a juvenile court judge  
423 makes a finding pursuant to subsection (2) that ~~when in the~~  
424 ~~state attorney's judgment and discretion~~ the public interest  
425 requires that adult sanctions be considered or imposed and when

426 | the offense charged is for the commission of, attempt to commit,  
 427 | or conspiracy to commit a felony designated as a life felony.‡

- 428 |     ~~1. Arson;~~
- 429 |     ~~2. Sexual battery;~~
- 430 |     ~~3. Robbery;~~
- 431 |     ~~4. Kidnapping;~~
- 432 |     ~~5. Aggravated child abuse;~~
- 433 |     ~~6. Aggravated assault;~~
- 434 |     ~~7. Aggravated stalking;~~
- 435 |     ~~8. Murder;~~
- 436 |     ~~9. Manslaughter;~~
- 437 |     ~~10. Unlawful throwing, placing, or discharging of a~~  
 438 | ~~destructive device or bomb;~~
- 439 |     ~~11. Armed burglary in violation of s. 810.02(2)(b) or~~  
 440 | ~~specified burglary of a dwelling or structure in violation of s.~~  
 441 | ~~810.02(2)(c), or burglary with an assault or battery in~~  
 442 | ~~violation of s. 810.02(2)(a);~~
- 443 |     ~~12. Aggravated battery;~~
- 444 |     ~~13. Any lewd or lascivious offense committed upon or in~~  
 445 | ~~the presence of a person less than 16 years of age;~~
- 446 |     ~~14. Carrying, displaying, using, threatening, or~~  
 447 | ~~attempting to use a weapon or firearm during the commission of a~~  
 448 | ~~felony;~~
- 449 |     ~~15. Grand theft in violation of s. 812.014(2)(a);~~
- 450 |     ~~16. Possessing or discharging any weapon or firearm on~~

451 ~~school property in violation of s. 790.115;~~  
452 ~~17. Home invasion robbery;~~  
453 ~~18. Carjacking; or~~  
454 ~~19. Grand theft of a motor vehicle in violation of s.~~  
455 ~~812.014(2)(c)6. or grand theft of a motor vehicle valued at~~  
456 ~~\$20,000 or more in violation of s. 812.014(2)(b) if the child~~  
457 ~~has a previous adjudication for grand theft of a motor vehicle~~  
458 ~~in violation of s. 812.014(2)(c)6. or s. 812.014(2)(b).~~

459 (b) With respect to any child who was 14 or 15 years of  
460 age at the time the alleged offense was committed, and who has  
461 two prior juvenile adjudications or adjudications withheld, and  
462 at least one of which was for a felony offense, the state  
463 attorney may file an information after a juvenile court judge  
464 makes a finding pursuant to subsection (2) that the public  
465 interest requires that adult sanctions be considered or imposed  
466 and when the offense charged is for the commission of, attempt  
467 to commit, or conspiracy to commit a felony designated as a  
468 first degree punishable by life.

469 (c) ~~(b)~~ With respect to any child who was 16 or 17 years of  
470 age at the time the alleged offense was committed, the state  
471 attorney may file an information after a juvenile court judge  
472 makes a finding pursuant to subsection (2) that ~~when in the~~  
473 ~~state attorney's judgment and discretion~~ the public interest  
474 requires that adult sanctions be considered or imposed and when  
475 the offense charged is for the commission of, attempt to commit,

476 or conspiracy to commit a felony designated as a first degree  
477 felony, first degree felony punishable by life, or a life  
478 felony. ~~However, the state attorney may not file an information~~  
479 ~~on a child charged with a misdemeanor, unless the child has had~~  
480 ~~at least two previous adjudications or adjudications withheld~~  
481 ~~for delinquent acts, one of which involved an offense classified~~  
482 ~~as a felony under state law.~~

483 (2) JUDICIAL FINDINGS.—Before the state attorney may file  
484 an information against a child as provided in subsection (1), a  
485 juvenile court judge must make a written finding that the public  
486 interest requires that adult sanctions be considered or imposed.  
487 In making this finding, the juvenile court judge shall consider  
488 any factor it deems appropriate, including all of the following:

489 (a) The juvenile's prior delinquency history, including  
490 the nature and frequency of past offenses.

491 (b) The juvenile's cognitive development, emotional  
492 maturity, and any mental health issues.

493 (c) An assessment of whether the juvenile is likely to  
494 benefit from rehabilitative services within the juvenile justice  
495 system.

496 (d) Whether the juvenile justice system has adequate  
497 resources and programs to address the juvenile's needs.

498 (e) The specific facts of the case, including the  
499 juvenile's role in the offense, the presence of any adult co-  
500 defendants, and any mitigating circumstances.

501           (f) The effect of the offense on the victim and the  
 502 community.

503           (g) Any evaluations and recommendation from a  
 504 psychologist, social worker, or other relevant expert regarding  
 505 the juvenile's potential for rehabilitation.

506           (h) The juvenile's home environment, including support  
 507 systems, family stability, and socio-economic factors.

508           (i) The likelihood that the juvenile will reoffend if not  
 509 subject to adult sanctions

510           (3)(2) EFFECT OF DIRECT FILE.—

511           (a) Once a child has been transferred for criminal  
 512 prosecution pursuant to an information and has been found to  
 513 have committed the presenting offense or a lesser included  
 514 offense, the child shall be handled thereafter in every respect  
 515 as if an adult for any subsequent violation of state law, unless  
 516 the court imposes juvenile sanctions under s. 985.565.

517           (b) When a child is transferred for criminal prosecution  
 518 as an adult, the court shall immediately transfer and certify to  
 519 the adult circuit court all felony cases pertaining to the  
 520 child, for prosecution of the child as an adult, which have not  
 521 yet resulted in a plea of guilty or nolo contendere or in which  
 522 a finding of guilt has not been made. If a child is acquitted of  
 523 all charged offenses or lesser included offenses contained in  
 524 the original case transferred to adult court, all felony cases  
 525 that were transferred to adult court as a result of this

526 paragraph shall be subject to the same penalties to which such  
527 cases would have been subject before being transferred to adult  
528 court.

529 (c) When a child has been transferred for criminal  
530 prosecution as an adult and has been found to have committed a  
531 violation of state law, the disposition of the case may be made  
532 under s. 985.565 and may include the enforcement of any  
533 restitution ordered in any juvenile proceeding.

534 ~~(4)(3)~~ INFORMATION.—An information filed pursuant to this  
535 section may include all charges that are based on the same act,  
536 criminal episode, or transaction as the primary offenses.

537 (5) RETURN OF JUVENILE TO JUVENILE DIVISION.—If at any  
538 time during the circuit court proceedings, a circuit judge  
539 believes that a juvenile offender is not fit for adult  
540 sanctions, the circuit court judge can return the juvenile to  
541 the juvenile division for resolution of the case. The circuit  
542 court judge must file a written order articulating his reason  
543 for believing that the juvenile is not fit for adult sanctions.

544 **Section 9.** This act shall take effect July 1, 2025.