



479542

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
03/25/2025	.	
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The Committee on Criminal Justice (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (a) of subsection (1) and subsection
(4) of section 782.04, Florida Statutes, is amended to read

782.04 Murder.—

(1) (a) The unlawful killing of a human being:

1. When perpetrated from a premeditated design to effect
the death of the person killed or any human being;



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- 11 2. When committed by a person engaged in the perpetration
12 of, or in the attempt to perpetrate, any:
- 13 a. Trafficking offense prohibited by s. 893.135(1),
 - 14 b. Arson,
 - 15 c. Sexual battery,
 - 16 d. Robbery,
 - 17 e. Burglary,
 - 18 f. Kidnapping,
 - 19 g. Escape,
 - 20 h. Aggravated child abuse,
 - 21 i. Aggravated abuse of an elderly person or disabled adult,
 - 22 j. Aircraft piracy,
 - 23 k. Unlawful throwing, placing, or discharging of a
24 destructive device or bomb,
 - 25 l. Carjacking,
 - 26 m. Home-invasion robbery,
 - 27 n. Aggravated stalking,
 - 28 o. Murder of another human being,
 - 29 p. Resisting an officer with violence to his or her person,
 - 30 q. Aggravated fleeing or eluding with serious bodily injury
31 or death,
 - 32 r. Felony that is an act of terrorism or is in furtherance
33 of an act of terrorism, including a felony under s. 775.30, s.
34 775.32, s. 775.33, s. 775.34, or s. 775.35, or
 - 35 s. Human trafficking; or
- 36 3. Which resulted from the unlawful distribution ~~by a~~
37 ~~person 18 years of age or older~~ of any of the following
38 substances, or mixture containing any of the following
39 substances, when such substance or mixture is proven to have



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40 caused, or is proven to have been a substantial factor in
41 producing, the death of the user:
42 a. A substance controlled under s. 893.03(1);
43 b. Cocaine, as described in s. 893.03(2)(a)4.;
44 c. Opium or any synthetic or natural salt, compound,
45 derivative, or preparation of opium;
46 d. Methadone;
47 e. Alfentanil, as described in s. 893.03(2)(b)1.;
48 f. Carfentanil, as described in s. 893.03(2)(b)6.;
49 g. Fentanyl, as described in s. 893.03(2)(b)9.;
50 h. Sufentanil, as described in s. 893.03(2)(b)30.;
51 i. Methamphetamine, as described in s. 893.03(2)(c)5.; or
52 j. A controlled substance analog, as described in s.
53 893.0356, of any substance specified in sub-subparagraphs a.-i.,

54
55 is murder in the first degree and constitutes a capital felony,
56 punishable as provided in s. 775.082.

57 (4) The unlawful killing of a human being, when perpetrated
58 without any design to effect death, by a person engaged in the
59 perpetration of, or in the attempt to perpetrate, any felony
60 other than any:

- 61 (a) Trafficking offense prohibited by s. 893.135(1),
- 62 (b) Arson,
- 63 (c) Sexual battery,
- 64 (d) Robbery,
- 65 (e) Burglary,
- 66 (f) Kidnapping,
- 67 (g) Escape,
- 68 (h) Aggravated child abuse,



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69 (i) Aggravated abuse of an elderly person or disabled
70 adult,

71 (j) Aircraft piracy,

72 (k) Unlawful throwing, placing, or discharging of a
73 destructive device or bomb,

74 (l) Unlawful distribution of any substance listed in sub-
75 subparagraphs (1) (a) 3.a.-j. ~~by a person 18 years of age or~~
76 ~~elder~~, when such substance is proven to have caused, or is
77 proven to have been a substantial factor in producing, the death
78 of the user,

79 (m) Carjacking,

80 (n) Home-invasion robbery,

81 (o) Aggravated stalking,

82 (p) Murder of another human being,

83 (q) Aggravated fleeing or eluding with serious bodily
84 injury or death,

85 (r) Resisting an officer with violence to his or her
86 person, or

87 (s) Felony that is an act of terrorism or is in furtherance
88 of an act of terrorism, including a felony under s. 775.30, s.
89 775.32, s. 775.33, s. 775.34, or s. 775.35,

90
91 is murder in the third degree and constitutes a felony of the
92 second degree, punishable as provided in s. 775.082, s. 775.083,
93 or s. 775.084.

94 Section 2. This act shall take effect on July 1, 2025.

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

97 And the title is amended as follows:



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98 Delete everything before the enacting clause
99 and insert:

100 A bill to be entitled
101 An act relating to murder; amending s. 782.04, F.S;
102 revising the elements that constitute the felony
103 offense of murder; providing an effective date.
104