

By Senator Fine

19-00422-25

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1 A bill to be entitled
2 An act relating to weapons or firearms at school-
3 sponsored events or on school property; amending s.
4 790.115, F.S.; prohibiting persons from storing,
5 rather than possessing, firearms or weapons at a
6 school-sponsored event or on the property of any
7 school, school bus, or school bus stop; authorizing
8 persons to carry firearms on the property of any
9 college or university; revising the definition of the
10 term "school"; providing that the Department of Law
11 Enforcement may authorize a college or university,
12 while hosting or sponsoring a sporting or athletic
13 event, to designate a campus facility or area as a
14 sensitive location in which the possession of a
15 concealed weapon or a concealed firearm is prohibited;
16 requiring the college or university to submit a
17 security plan to the department to receive such
18 authorization; requiring the department to create and
19 make publicly available a certain electronic form on
20 its website; conforming provisions to changes made by
21 the act; amending s. 790.06, F.S.; conforming a
22 provision to changes made by the act; reenacting ss.
23 397.417(4)(e), 420.6241(4)(b), 435.04(2)(y),
24 790.251(7)(a), 921.0022(3)(d), 943.051(3)(b),
25 943.0585(1)(d), 943.059(1)(b), 985.11(1)(b), and
26 985.557(1)(a), F.S., relating to background screening
27 for peer specialists, background screening for persons
28 with lived experience, Level 2 screening standards,
29 protection of the right to keep and bear arms in motor

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30 vehicles for self-defense and other lawful purposes,
31 level 4 of the offense severity ranking chart,
32 fingerprinting of minors, court-ordered expunction of
33 criminal history records, court-ordered sealing of
34 criminal history records, fingerprinting and
35 photographing of children, and discretionary direct
36 filing of an information, respectively, to incorporate
37 the amendment made to s. 790.115, F.S., in references
38 thereto; providing an effective date.

39
40 Be It Enacted by the Legislature of the State of Florida:

41
42 Section 1. Section 790.115, Florida Statutes, is amended to
43 read:

44 790.115 Exhibiting, storing, ~~Possessing~~ or discharging
45 weapons or firearms at a school-sponsored event or on school
46 property prohibited; penalties; exceptions.-

47 (1) A person who exhibits any sword, sword cane, firearm,
48 electric weapon or device, destructive device, or other weapon
49 as defined in s. 790.001, including a razor blade, box cutter,
50 or common pocketknife, except as authorized in support of
51 school-sanctioned activities, in the presence of one or more
52 persons in a rude, careless, angry, or threatening manner and
53 not in lawful self-defense, at a school-sponsored event or on
54 the grounds or facilities of any school, school bus, or school
55 bus stop, or within 1,000 feet of the real property that
56 comprises a public or private elementary school, middle school,
57 or secondary school, during school hours or during the time of a
58 sanctioned school activity, commits a felony of the third

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59 degree, punishable as provided in s. 775.082, s. 775.083, or s.
60 775.084. This subsection does not apply to the exhibition of a
61 firearm or weapon on private real property within 1,000 feet of
62 a school by the owner of such property or by a person whose
63 presence on such property has been authorized, licensed, or
64 invited by the owner.

65 (2) (a) A person may ~~shall~~ not store ~~possess~~ any firearm,
66 electric weapon or device, destructive device, or other weapon
67 as defined in s. 790.001, including a razor blade or box cutter,
68 except as authorized in support of school-sanctioned activities,
69 at a school-sponsored event or on the property of any school,
70 school bus, or school bus stop; however, a person may carry a
71 firearm on the property of any college or university, including,
72 but not limited to, any dormitory or residence hall owned or
73 operated by a college or university, and in any other location
74 he or she is legally authorized to do so:

75 ~~1. In a case to a firearms program, class or function which~~
76 ~~has been approved in advance by the principal or chief~~
77 ~~administrative officer of the school as a program or class to~~
78 ~~which firearms could be carried;~~

79 ~~2. In a case to a career center having a firearms training~~
80 ~~range; or~~

81 ~~3. In a vehicle pursuant to s. 790.25(4); except that~~
82 ~~school districts may adopt written and published policies that~~
83 ~~wave the exception in this subparagraph for purposes of student~~
84 ~~and campus parking privileges.~~

85
86 ~~For the purposes of this section, "school" means any preschool,~~
87 ~~elementary school, middle school, junior high school, secondary~~

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88 ~~school, career center, or postsecondary school, whether public~~
89 ~~or nonpublic.~~

90 (b) Except as provided in paragraph (e), a person who
91 willfully and knowingly possesses any electric weapon or device,
92 destructive device, or other weapon as defined in s. 790.001,
93 including a razor blade or box cutter, except as authorized in
94 paragraph (a) or in support of school-sanctioned activities, in
95 violation of this subsection commits a felony of the third
96 degree, punishable as provided in s. 775.082, s. 775.083, or s.
97 775.084.

98 (c)1. Except as provided in paragraph (e), a person who
99 willfully and knowingly possesses any firearm in violation of
100 this subsection commits a felony of the third degree, punishable
101 as provided in s. 775.082, s. 775.083, or s. 775.084.

102 2. A person who stores or leaves a loaded firearm within
103 the reach or easy access of a minor who obtains the firearm and
104 commits a violation of subparagraph 1. commits a misdemeanor of
105 the second degree, punishable as provided in s. 775.082 or s.
106 775.083; except that this does not apply if the firearm was
107 stored or left in a securely locked box or container or in a
108 location which a reasonable person would have believed to be
109 secure, or was securely locked with a firearm-mounted push-
110 button combination lock or a trigger lock; if the minor obtains
111 the firearm as a result of an unlawful entry by any person; or
112 to members of the Armed Forces, National Guard, or State
113 Militia, or to police or other law enforcement officers, with
114 respect to firearm possession by a minor which occurs during or
115 incidental to the performance of their official duties.

116 (d) A person who discharges any weapon or firearm while in

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117 violation of paragraph (a), unless discharged for lawful defense
118 of himself or herself or another or for a lawful purpose,
119 commits a felony of the second degree, punishable as provided in
120 s. 775.082, s. 775.083, or s. 775.084.

121 (e) A person who is authorized to carry a concealed weapon
122 or concealed firearm under s. 790.01(1) and who willfully and
123 knowingly violates paragraph (b) or subparagraph (c)1. commits a
124 misdemeanor of the second degree, punishable as provided in s.
125 775.082 or s. 775.083.

126 (3) As used in this section, the term "school" means a
127 public preschool or any elementary school, middle school, junior
128 high school, secondary school, or career center, regardless of
129 whether public or private.

130 (4) The Department of Law Enforcement may authorize a
131 college or university, while hosting or sponsoring a sporting or
132 athletic event, to designate a campus facility or area as a
133 sensitive location in which the possession of a concealed weapon
134 or a concealed firearm is prohibited. To receive such
135 authorization, the college or university must submit a security
136 plan to the Department of Law Enforcement for approval. The
137 Department of Law Enforcement shall create and make publicly
138 available an electronic form on its website through which a
139 college or university may submit a security plan pursuant to
140 this subsection. The form must include, at a minimum, the basic
141 information regarding the sporting or athletic event the college
142 or university is hosting or sponsoring and any information
143 needed by the department to make its decision.

144 (5) This section does not apply to any law enforcement
145 officer as defined in s. 943.10(1), (2), (3), (4), (6), (7),

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146 (8), (9), or (14).

147 Section 2. Paragraph (a) of subsection (12) of section
148 790.06, Florida Statutes, is amended to read:

149 790.06 License to carry concealed weapon or concealed
150 firearm.—

151 (12) (a) A license issued under this section does not
152 authorize any person to openly carry a handgun or carry a
153 concealed weapon or concealed firearm into:

- 154 1. Any place of nuisance as defined in s. 823.05;
- 155 2. Any police, sheriff, or highway patrol station;
- 156 3. Any detention facility, prison, or jail;
- 157 4. Any courthouse;
- 158 5. Any courtroom, except that nothing in this section
159 precludes a judge from carrying a concealed weapon or concealed
160 firearm or determining who will carry a concealed weapon or
161 concealed firearm in his or her courtroom;
- 162 6. Any polling place;
- 163 7. Any meeting of the governing body of a county, public
164 school district, municipality, or special district;
- 165 8. Any meeting of the Legislature or a committee thereof;
- 166 9. Any school, college, or professional athletic event not
167 related to firearms;
- 168 10. Any elementary or secondary school facility or
169 administration building;
- 170 11. Any career center;
- 171 12. Any portion of an establishment licensed to dispense
172 alcoholic beverages for consumption on the premises, which
173 portion of the establishment is primarily devoted to such
174 purpose;

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175 13. Any college or university facility or area the
176 Department of Law Enforcement has authorized the college or
177 university to designate as a sensitive location while the
178 college or university hosts or sponsors a sporting or athletic
179 event unless the licensee is a registered student, employee, or
180 faculty member of such college or university and the weapon is a
181 stun gun or nonlethal electric weapon or device designed solely
182 for defensive purposes and the weapon does not fire a dart or
183 projectile;

184 14. The inside of the passenger terminal and sterile area
185 of any airport, provided that no person is ~~shall be~~ prohibited
186 from carrying any legal firearm into the terminal, which firearm
187 is encased for shipment for purposes of checking such firearm as
188 baggage to be lawfully transported on any aircraft; or

189 15. Any place where the carrying of firearms is prohibited
190 by federal law.

191 Section 3. For the purpose of incorporating the amendment
192 made by this act to section 790.115, Florida Statutes, in a
193 reference thereto, paragraph (e) of subsection (4) of section
194 397.417, Florida Statutes, is reenacted to read:

195 397.417 Peer specialists.—

196 (4) BACKGROUND SCREENING.—

197 (e) The background screening conducted under this
198 subsection must ensure that a peer specialist has not been
199 arrested for and is awaiting final disposition of, found guilty
200 of, regardless of adjudication, or entered a plea of nolo
201 contendere or guilty to, or been adjudicated delinquent and the
202 record has not been sealed or expunged for, any offense
203 prohibited under any of the following state laws or similar laws

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204 of another jurisdiction:

205 1. Section 393.135, relating to sexual misconduct with
206 certain developmentally disabled clients and reporting of such
207 sexual misconduct.

208 2. Section 394.4593, relating to sexual misconduct with
209 certain mental health patients and reporting of such sexual
210 misconduct.

211 3. Section 409.920, relating to Medicaid provider fraud, if
212 the offense was a felony of the first or second degree.

213 4. Section 415.111, relating to abuse, neglect, or
214 exploitation of vulnerable adults.

215 5. Any offense that constitutes domestic violence as
216 defined in s. 741.28.

217 6. Section 777.04, relating to attempts, solicitation, and
218 conspiracy to commit an offense listed in this paragraph.

219 7. Section 782.04, relating to murder.

220 8. Section 782.07, relating to manslaughter; aggravated
221 manslaughter of an elderly person or a disabled adult;
222 aggravated manslaughter of a child; or aggravated manslaughter
223 of an officer, a firefighter, an emergency medical technician,
224 or a paramedic.

225 9. Section 782.071, relating to vehicular homicide.

226 10. Section 782.09, relating to killing an unborn child by
227 injury to the mother.

228 11. Chapter 784, relating to assault, battery, and culpable
229 negligence, if the offense was a felony.

230 12. Section 787.01, relating to kidnapping.

231 13. Section 787.02, relating to false imprisonment.

232 14. Section 787.025, relating to luring or enticing a

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233 child.

234 15. Section 787.04(2), relating to leading, taking,
235 enticing, or removing a minor beyond state limits, or concealing
236 the location of a minor, with criminal intent pending custody
237 proceedings.

238 16. Section 787.04(3), relating to leading, taking,
239 enticing, or removing a minor beyond state limits, or concealing
240 the location of a minor, with criminal intent pending dependency
241 proceedings or proceedings concerning alleged abuse or neglect
242 of a minor.

243 17. Section 790.115(1), relating to exhibiting firearms or
244 weapons within 1,000 feet of a school.

245 18. Section 790.115(2)(b), relating to possessing an
246 electric weapon or device, a destructive device, or any other
247 weapon on school property.

248 19. Section 794.011, relating to sexual battery.

249 20. Former s. 794.041, relating to prohibited acts of
250 persons in familial or custodial authority.

251 21. Section 794.05, relating to unlawful sexual activity
252 with certain minors.

253 22. Section 794.08, relating to female genital mutilation.

254 23. Section 796.07, relating to procuring another to commit
255 prostitution, except for those offenses expunged pursuant to s.
256 943.0583.

257 24. Section 798.02, relating to lewd and lascivious
258 behavior.

259 25. Chapter 800, relating to lewdness and indecent
260 exposure.

261 26. Section 806.01, relating to arson.

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- 262 27. Section 810.02, relating to burglary, if the offense
263 was a felony of the first degree.
- 264 28. Section 810.14, relating to voyeurism, if the offense
265 was a felony.
- 266 29. Section 810.145, relating to digital voyeurism, if the
267 offense was a felony.
- 268 30. Section 812.13, relating to robbery.
- 269 31. Section 812.131, relating to robbery by sudden
270 snatching.
- 271 32. Section 812.133, relating to carjacking.
- 272 33. Section 812.135, relating to home-invasion robbery.
- 273 34. Section 817.034, relating to communications fraud, if
274 the offense was a felony of the first degree.
- 275 35. Section 817.234, relating to false and fraudulent
276 insurance claims, if the offense was a felony of the first or
277 second degree.
- 278 36. Section 817.50, relating to fraudulently obtaining
279 goods or services from a health care provider and false reports
280 of a communicable disease.
- 281 37. Section 817.505, relating to patient brokering.
- 282 38. Section 817.568, relating to fraudulent use of personal
283 identification, if the offense was a felony of the first or
284 second degree.
- 285 39. Section 825.102, relating to abuse, aggravated abuse,
286 or neglect of an elderly person or a disabled adult.
- 287 40. Section 825.1025, relating to lewd or lascivious
288 offenses committed upon or in the presence of an elderly person
289 or a disabled person.
- 290 41. Section 825.103, relating to exploitation of an elderly

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291 person or a disabled adult, if the offense was a felony.
292 42. Section 826.04, relating to incest.
293 43. Section 827.03, relating to child abuse, aggravated
294 child abuse, or neglect of a child.
295 44. Section 827.04, relating to contributing to the
296 delinquency or dependency of a child.
297 45. Former s. 827.05, relating to negligent treatment of
298 children.
299 46. Section 827.071, relating to sexual performance by a
300 child.
301 47. Section 831.30, relating to fraud in obtaining
302 medicinal drugs.
303 48. Section 831.31, relating to the sale; manufacture;
304 delivery; or possession with intent to sell, manufacture, or
305 deliver of any counterfeit controlled substance, if the offense
306 was a felony.
307 49. Section 843.01, relating to resisting arrest with
308 violence.
309 50. Section 843.025, relating to depriving a law
310 enforcement, correctional, or correctional probation officer of
311 the means of protection or communication.
312 51. Section 843.12, relating to aiding in an escape.
313 52. Section 843.13, relating to aiding in the escape of
314 juvenile inmates of correctional institutions.
315 53. Chapter 847, relating to obscenity.
316 54. Section 874.05, relating to encouraging or recruiting
317 another to join a criminal gang.
318 55. Chapter 893, relating to drug abuse prevention and
319 control, if the offense was a felony of the second degree or

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320 greater severity.

321 56. Section 895.03, relating to racketeering and collection
322 of unlawful debts.

323 57. Section 896.101, relating to the Florida Money
324 Laundering Act.

325 58. Section 916.1075, relating to sexual misconduct with
326 certain forensic clients and reporting of such sexual
327 misconduct.

328 59. Section 944.35(3), relating to inflicting cruel or
329 inhuman treatment on an inmate resulting in great bodily harm.

330 60. Section 944.40, relating to escape.

331 61. Section 944.46, relating to harboring, concealing, or
332 aiding an escaped prisoner.

333 62. Section 944.47, relating to introduction of contraband
334 into a correctional institution.

335 63. Section 985.701, relating to sexual misconduct in
336 juvenile justice programs.

337 64. Section 985.711, relating to introduction of contraband
338 into a detention facility.

339 Section 4. For the purpose of incorporating the amendment
340 made by this act to section 790.115, Florida Statutes, in a
341 reference thereto, paragraph (b) of subsection (4) of section
342 420.6241, Florida Statutes, is reenacted to read:

343 420.6241 Persons with lived experience.—

344 (4) BACKGROUND SCREENING.—

345 (b) The background screening conducted under this
346 subsection must ensure that the qualified applicant has not been
347 arrested for and is not awaiting final disposition of, has not
348 been found guilty of, regardless of adjudication, or entered a

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349 plea of nolo contendere or guilty to, or has not been
350 adjudicated delinquent and the record has been sealed or
351 expunged for, any offense prohibited under any of the following
352 state laws or similar laws of another jurisdiction:

353 1. Section 393.135, relating to sexual misconduct with
354 certain developmentally disabled clients and reporting of such
355 sexual misconduct.

356 2. Section 394.4593, relating to sexual misconduct with
357 certain mental health patients and reporting of such sexual
358 misconduct.

359 3. Section 409.920, relating to Medicaid provider fraud, if
360 the offense is a felony of the first or second degree.

361 4. Section 415.111, relating to criminal penalties for
362 abuse, neglect, or exploitation of vulnerable adults.

363 5. Any offense that constitutes domestic violence, as
364 defined in s. 741.28.

365 6. Section 777.04, relating to attempts, solicitation, and
366 conspiracy to commit an offense listed in this paragraph.

367 7. Section 782.04, relating to murder.

368 8. Section 782.07, relating to manslaughter, aggravated
369 manslaughter of an elderly person or a disabled adult,
370 aggravated manslaughter of a child, or aggravated manslaughter
371 of an officer, a firefighter, an emergency medical technician,
372 or a paramedic.

373 9. Section 782.071, relating to vehicular homicide.

374 10. Section 782.09, relating to killing of an unborn child
375 by injury to the mother.

376 11. Chapter 784, relating to assault, battery, and culpable
377 negligence, if the offense is a felony.

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- 378 12. Section 787.01, relating to kidnapping.
- 379 13. Section 787.02, relating to false imprisonment.
- 380 14. Section 787.025, relating to luring or enticing a
381 child.
- 382 15. Section 787.04(2), relating to leading, taking,
383 enticing, or removing a minor beyond the state limits, or
384 concealing the location of a minor, with criminal intent pending
385 custody proceedings.
- 386 16. Section 787.04(3), relating to leading, taking,
387 enticing, or removing a minor beyond the state limits, or
388 concealing the location of a minor, with criminal intent pending
389 dependency proceedings or proceedings concerning alleged abuse
390 or neglect of a minor.
- 391 17. Section 790.115(1), relating to exhibiting firearms or
392 weapons within 1,000 feet of a school.
- 393 18. Section 790.115(2)(b), relating to possessing an
394 electric weapon or device, a destructive device, or any other
395 weapon on school property.
- 396 19. Section 794.011, relating to sexual battery.
- 397 20. Former s. 794.041, relating to prohibited acts of
398 persons in familial or custodial authority.
- 399 21. Section 794.05, relating to unlawful sexual activity
400 with certain minors.
- 401 22. Section 794.08, relating to female genital mutilation.
- 402 23. Section 796.07, relating to procuring another to commit
403 prostitution, except for those offenses expunged pursuant to s.
404 943.0583.
- 405 24. Section 798.02, relating to lewd and lascivious
406 behavior.

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- 407 25. Chapter 800, relating to lewdness and indecent
408 exposure.
- 409 26. Section 806.01, relating to arson.
- 410 27. Section 810.02, relating to burglary, if the offense is
411 a felony of the first degree.
- 412 28. Section 810.14, relating to voyeurism, if the offense
413 is a felony.
- 414 29. Section 810.145, relating to video voyeurism, if the
415 offense is a felony.
- 416 30. Section 812.13, relating to robbery.
- 417 31. Section 812.131, relating to robbery by sudden
418 snatching.
- 419 32. Section 812.133, relating to carjacking.
- 420 33. Section 812.135, relating to home-invasion robbery.
- 421 34. Section 817.034, relating to communications fraud, if
422 the offense is a felony of the first degree.
- 423 35. Section 817.234, relating to false and fraudulent
424 insurance claims, if the offense is a felony of the first or
425 second degree.
- 426 36. Section 817.50, relating to fraudulently obtaining
427 goods or services from a health care provider and false reports
428 of a communicable disease.
- 429 37. Section 817.505, relating to patient brokering.
- 430 38. Section 817.568, relating to fraudulent use of personal
431 identification, if the offense is a felony of the first or
432 second degree.
- 433 39. Section 825.102, relating to abuse, aggravated abuse,
434 or neglect of an elderly person or a disabled adult.
- 435 40. Section 825.1025, relating to lewd or lascivious

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436 offenses committed upon or in the presence of an elderly person
437 or a disabled person.

438 41. Section 825.103, relating to exploitation of an elderly
439 person or a disabled adult, if the offense is a felony.

440 42. Section 826.04, relating to incest.

441 43. Section 827.03, relating to child abuse, aggravated
442 child abuse, or neglect of a child.

443 44. Section 827.04, relating to contributing to the
444 delinquency or dependency of a child.

445 45. Former s. 827.05, relating to negligent treatment of
446 children.

447 46. Section 827.071, relating to sexual performance by a
448 child.

449 47. Section 831.30, relating to fraud in obtaining
450 medicinal drugs.

451 48. Section 831.31, relating to the sale, manufacture,
452 delivery, or possession with intent to sell, manufacture, or
453 deliver any counterfeit controlled substance, if the offense is
454 a felony.

455 49. Section 843.01, relating to resisting arrest with
456 violence.

457 50. Section 843.025, relating to depriving a law
458 enforcement, correctional, or correctional probation officer of
459 the means of protection or communication.

460 51. Section 843.12, relating to aiding in an escape.

461 52. Section 843.13, relating to aiding in the escape of
462 juvenile inmates of correctional institutions.

463 53. Chapter 847, relating to obscenity.

464 54. Section 874.05, relating to encouraging or recruiting

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465 another to join a criminal gang.

466 55. Chapter 893, relating to drug abuse prevention and
467 control, if the offense is a felony of the second degree or
468 greater severity.

469 56. Section 895.03, relating to racketeering and collection
470 of unlawful debts.

471 57. Section 896.101, relating to the Florida Money
472 Laundering Act.

473 58. Section 916.1075, relating to sexual misconduct with
474 certain forensic clients and reporting of such sexual
475 misconduct.

476 59. Section 944.35(3), relating to inflicting cruel or
477 inhuman treatment on an inmate, resulting in great bodily harm.

478 60. Section 944.40, relating to escape.

479 61. Section 944.46, relating to harboring, concealing, or
480 aiding an escaped prisoner.

481 62. Section 944.47, relating to introduction of contraband
482 into a correctional institution.

483 63. Section 985.701, relating to sexual misconduct in
484 juvenile justice programs.

485 64. Section 985.711, relating to introduction of contraband
486 into a detention facility.

487 Section 5. For the purpose of incorporating the amendment
488 made by this act to section 790.115, Florida Statutes, in a
489 reference thereto, paragraph (y) of subsection (2) of section
490 435.04, Florida Statutes, is reenacted to read:

491 435.04 Level 2 screening standards.—

492 (2) The security background investigations under this
493 section must ensure that persons subject to this section have

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494 not been arrested for and are awaiting final disposition of;
495 have not been found guilty of, regardless of adjudication, or
496 entered a plea of nolo contendere or guilty to; or have not been
497 adjudicated delinquent and the record has not been sealed or
498 expunged for, any offense prohibited under any of the following
499 provisions of state law or similar law of another jurisdiction:

500 (y) Section 790.115(2)(b), relating to possessing an
501 electric weapon or device, destructive device, or other weapon
502 on school property.

503 Section 6. For the purpose of incorporating the amendment
504 made by this act to section 790.115, Florida Statutes, in a
505 reference thereto, paragraph (a) of subsection (7) of section
506 790.251, Florida Statutes, is reenacted to read:

507 790.251 Protection of the right to keep and bear arms in
508 motor vehicles for self-defense and other lawful purposes;
509 prohibited acts; duty of public and private employers; immunity
510 from liability; enforcement.—

511 (7) EXCEPTIONS.—The prohibitions in subsection (4) do not
512 apply to:

513 (a) Any school property as defined and regulated under s.
514 790.115.

515 Section 7. For the purpose of incorporating the amendment
516 made by this act to section 790.115, Florida Statutes, in a
517 reference thereto, paragraph (d) of subsection (3) of section
518 921.0022, Florida Statutes, is reenacted to read:

519 921.0022 Criminal Punishment Code; offense severity ranking
520 chart.—

521 (3) OFFENSE SEVERITY RANKING CHART

522 (d) LEVEL 4

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523

Florida
Statute

Felony
Degree

Description

524

316.1935 (3) (a)

2nd

Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.

525

499.0051 (1)

3rd

Failure to maintain or deliver transaction history, transaction information, or transaction statements.

526

499.0051 (5)

2nd

Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.

527

517.07 (1)

3rd

Failure to register securities.

528

517.12 (1)

3rd

Failure of dealer or

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associated person of a
dealer of securities to
register.

529

784.031

3rd

Battery by
strangulation.

530

784.07 (2) (b)

3rd

Battery of law
enforcement officer,
firefighter, etc.

531

784.074 (1) (c)

3rd

Battery of sexually
violent predators
facility staff.

532

784.075

3rd

Battery on detention or
commitment facility
staff.

533

784.078

3rd

Battery of facility
employee by throwing,
tossing, or expelling
certain fluids or
materials.

534

784.08 (2) (c)

3rd

Battery on a person 65
years of age or older.

535

784.081 (3)

3rd

Battery on specified

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official or employee.

536

784.082 (3)

3rd

Battery by detained person on visitor or other detainee.

537

784.083 (3)

3rd

Battery on code inspector.

538

784.085

3rd

Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.

539

787.03 (1)

3rd

Interference with custody; wrongly takes minor from appointed guardian.

540

787.04 (2)

3rd

Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.

541

787.04 (3)

3rd

Carrying child beyond state lines with criminal intent to avoid

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producing child at
custody hearing or
delivering to designated
person.

542

787.07

3rd

Human smuggling.

543

790.115 (1)

3rd

Exhibiting firearm or
weapon within 1,000 feet
of a school.

544

790.115 (2) (b)

3rd

Possessing electric
weapon or device,
destructive device, or
other weapon on school
property.

545

790.115 (2) (c)

3rd

Possessing firearm on
school property.

546

794.051 (1)

3rd

Indecent, lewd, or
lascivious touching of
certain minors.

547

800.04 (7) (c)

3rd

Lewd or lascivious
exhibition; offender
less than 18 years.

548

806.135

2nd

Destroying or

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549
550
551
552
553
554
555

810.02 (4) (a)

3rd

demolishing a memorial
or historic property.

Burglary, or attempted
burglary, of an
unoccupied structure;
unarmed; no assault or
battery.

810.02 (4) (b)

3rd

Burglary, or attempted
burglary, of an
unoccupied conveyance;
unarmed; no assault or
battery.

810.06

3rd

Burglary; possession of
tools.

810.08 (2) (c)

3rd

Trespass on property,
armed with firearm or
dangerous weapon.

810.145 (3) (b)

3rd

Digital voyeurism
dissemination.

812.014 (2) (c) 3.

3rd

Grand theft, 3rd degree
\$10,000 or more but less
than \$20,000.

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556 812.014 3rd Grand theft, 3rd degree;
 (2) (c) 4. & specified items.
 6.-10.

557 812.014 (2) (d) 2. 3rd Grand theft, 3rd degree;
 \$750 or more taken from
 dwelling or its
 unenclosed curtilage.

558 812.014 (2) (e) 3. 3rd Petit theft, 1st degree;
 less than \$40 taken from
 dwelling or its
 unenclosed curtilage
 with two or more prior
 theft convictions.

559 812.0195 (2) 3rd Dealing in stolen
 property by use of the
 Internet; property
 stolen \$300 or more.

560 817.505 (4) (a) 3rd Patient brokering.

561 817.563 (1) 3rd Sell or deliver
 substance other than
 controlled substance
 agreed upon, excluding
 s. 893.03(5) drugs.

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562

817.568 (2) (a)

3rd

Fraudulent use of personal identification information.

563

817.5695 (3) (c)

3rd

Exploitation of person 65 years of age or older, value less than \$10,000.

564

817.625 (2) (a)

3rd

Fraudulent use of scanning device, skimming device, or reencoder.

565

817.625 (2) (c)

3rd

Possess, sell, or deliver skimming device.

566

828.125 (1)

2nd

Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.

567

836.14 (2)

3rd

Person who commits theft of a sexually explicit image with intent to promote it.

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836.14 (3)

3rd

Person who willfully possesses a sexually explicit image with certain knowledge, intent, and purpose.

568

837.02 (1)

3rd

Perjury in official proceedings.

569

837.021 (1)

3rd

Make contradictory statements in official proceedings.

570

838.022

3rd

Official misconduct.

571

839.13 (2) (a)

3rd

Falsifying records of an individual in the care and custody of a state agency.

572

839.13 (2) (c)

3rd

Falsifying records of the Department of Children and Families.

573

843.021

3rd

Possession of a concealed handcuff key by a person in custody.

574

843.025

3rd

Deprive law enforcement,

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correctional, or
 correctional probation
 officer of means of
 protection or
 communication.

575

843.15 (1) (a)

3rd

Failure to appear while
 on bail for felony (bond
 estreature or bond
 jumping).

576

843.19 (2)

2nd

Injure, disable, or kill
 police, fire, or SAR
 canine or police horse.

577

847.0135 (5) (c)

3rd

Lewd or lascivious
 exhibition using
 computer; offender less
 than 18 years.

578

870.01 (3)

2nd

Aggravated rioting.

579

870.01 (5)

2nd

Aggravated inciting a
 riot.

580

874.05 (1) (a)

3rd

Encouraging or
 recruiting another to
 join a criminal gang.

581

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582	893.13 (2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03(1) (a), (b), or (d), (2) (a), (2) (b), or (2) (c) 5. drugs).
583	914.14 (2)	3rd	Witnesses accepting bribes.
584	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
585	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
586	916.1085 (2) (c) 1.	3rd	Introduction of specified contraband into certain DCF facilities.
587	918.12	3rd	Tampering with jurors.
	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.

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588

944.47 (1) (a) 6.

3rd

Introduction of
contraband (cellular
telephone or other
portable communication
device) into
correctional
institution.

589

951.22 (1) (h),
(j) & (k)

3rd

Intoxicating drug,
instrumentality or other
device to aid escape, or
cellular telephone or
other portable
communication device
introduced into county
detention facility.

590

591 Section 8. For the purpose of incorporating the amendment
592 made by this act to section 790.115, Florida Statutes, in a
593 reference thereto, paragraph (b) of subsection (3) of section
594 943.051, Florida Statutes, is reenacted to read:

595 943.051 Criminal justice information; collection and
596 storage; fingerprinting.—

597 (3)

598 (b) A minor who is charged with or found to have committed
599 the following offenses shall be fingerprinted and the
600 fingerprints shall be submitted electronically to the
601 department, unless the minor is issued a prearrest delinquency

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602 citation pursuant to s. 985.12:

- 603 1. Assault, as defined in s. 784.011.
- 604 2. Battery, as defined in s. 784.03.
- 605 3. Carrying a concealed weapon, as defined in s. 790.01(2).
- 606 4. Unlawful use of destructive devices or bombs, as defined
- 607 in s. 790.1615(1).
- 608 5. Neglect of a child, as defined in s. 827.03(1)(e).
- 609 6. Assault or battery on a law enforcement officer, a
- 610 firefighter, or other specified officers, as defined in s.
- 611 784.07(2)(a) and (b).
- 612 7. Open carrying of a weapon, as defined in s. 790.053.
- 613 8. Exposure of sexual organs, as defined in s. 800.03.
- 614 9. Unlawful possession of a firearm, as defined in s.
- 615 790.22(5).
- 616 10. Petit theft, as defined in s. 812.014(3).
- 617 11. Cruelty to animals, as defined in s. 828.12(1).
- 618 12. Arson, as defined in s. 806.031(1).
- 619 13. Unlawful possession or discharge of a weapon or firearm
- 620 at a school-sponsored event or on school property, as provided
- 621 in s. 790.115.

622 Section 9. For the purpose of incorporating the amendment
623 made by this act to section 790.115, Florida Statutes, in a
624 reference thereto, paragraph (d) of subsection (1) of section
625 943.0585, Florida Statutes, is reenacted to read:

626 943.0585 Court-ordered expunction of criminal history
627 records.—

628 (1) ELIGIBILITY.—A person is eligible to petition a court
629 to expunge a criminal history record if:

630 (d) The person has never, as of the date the application

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631 for a certificate of expunction is filed, been adjudicated
632 guilty in this state of a criminal offense or been adjudicated
633 delinquent in this state for committing any felony or any of the
634 following misdemeanors, unless the record of such adjudication
635 of delinquency has been expunged pursuant to s. 943.0515:

- 636 1. Assault, as defined in s. 784.011;
- 637 2. Battery, as defined in s. 784.03;
- 638 3. Assault on a law enforcement officer, a firefighter, or
639 other specified officers, as defined in s. 784.07(2)(a);
- 640 4. Carrying a concealed weapon, as defined in s. 790.01(2);
- 641 5. Open carrying of a weapon, as defined in s. 790.053;
- 642 6. Unlawful possession or discharge of a weapon or firearm
643 at a school-sponsored event or on school property, as defined in
644 s. 790.115;
- 645 7. Unlawful use of destructive devices or bombs, as defined
646 in s. 790.1615(1);
- 647 8. Unlawful possession of a firearm, as defined in s.
648 790.22(5);
- 649 9. Exposure of sexual organs, as defined in s. 800.03;
- 650 10. Arson, as defined in s. 806.031(1);
- 651 11. Petit theft, as defined in s. 812.014(3);
- 652 12. Neglect of a child, as defined in s. 827.03(1)(e); or
- 653 13. Cruelty to animals, as defined in s. 828.12(1).

654 Section 10. For the purpose of incorporating the amendment
655 made by this act to section 790.115, Florida Statutes, in a
656 reference thereto, paragraph (b) of subsection (1) of section
657 943.059, Florida Statutes, is reenacted to read:

- 658 943.059 Court-ordered sealing of criminal history records.—
659 (1) ELIGIBILITY.—A person is eligible to petition a court

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660 to seal a criminal history record when:

661 (b) The person has never, before the date the application
662 for a certificate of eligibility is filed, been adjudicated
663 guilty in this state of a criminal offense, or been adjudicated
664 delinquent in this state for committing any felony or any of the
665 following misdemeanor offenses, unless the record of such
666 adjudication of delinquency has been expunged pursuant to s.
667 943.0515:

- 668 1. Assault, as defined in s. 784.011;
- 669 2. Battery, as defined in s. 784.03;
- 670 3. Assault on a law enforcement officer, a firefighter, or
671 other specified officers, as defined in s. 784.07(2)(a);
- 672 4. Carrying a concealed weapon, as defined in s. 790.01(2);
- 673 5. Open carrying of a weapon, as defined in s. 790.053;
- 674 6. Unlawful possession or discharge of a weapon or firearm
675 at a school-sponsored event or on school property, as defined in
676 s. 790.115;
- 677 7. Unlawful use of destructive devices or bombs, as defined
678 in s. 790.1615(1);
- 679 8. Unlawful possession of a firearm by a minor, as defined
680 in s. 790.22(5);
- 681 9. Exposure of sexual organs, as defined in s. 800.03;
- 682 10. Arson, as defined in s. 806.031(1);
- 683 11. Petit theft, as defined in s. 812.014(3);
- 684 12. Neglect of a child, as defined in s. 827.03(1)(e); or
- 685 13. Cruelty to animals, as defined in s. 828.12(1).

686 Section 11. For the purpose of incorporating the amendment
687 made by this act to section 790.115, Florida Statutes, in a
688 reference thereto, paragraph (b) of subsection (1) of section

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689 985.11, Florida Statutes, is reenacted to read:

690 985.11 Fingerprinting and photographing.—

691 (1)

692 (b) Unless the child is issued a prearrest delinquency
693 citation pursuant to s. 985.12, a child who is charged with or
694 found to have committed one of the following offenses shall be
695 fingerprinted, and the fingerprints shall be submitted to the
696 Department of Law Enforcement as provided in s. 943.051(3)(b):

697 1. Assault, as defined in s. 784.011.

698 2. Battery, as defined in s. 784.03.

699 3. Carrying a concealed weapon, as defined in s. 790.01(2).

700 4. Unlawful use of destructive devices or bombs, as defined
701 in s. 790.1615(1).

702 5. Neglect of a child, as defined in s. 827.03(1)(e).

703 6. Assault on a law enforcement officer, a firefighter, or
704 other specified officers, as defined in s. 784.07(2)(a).

705 7. Open carrying of a weapon, as defined in s. 790.053.

706 8. Exposure of sexual organs, as defined in s. 800.03.

707 9. Unlawful possession of a firearm, as defined in s.
708 790.22(5).

709 10. Petit theft, as defined in s. 812.014.

710 11. Cruelty to animals, as defined in s. 828.12(1).

711 12. Arson, resulting in bodily harm to a firefighter, as
712 defined in s. 806.031(1).

713 13. Unlawful possession or discharge of a weapon or firearm
714 at a school-sponsored event or on school property as defined in
715 s. 790.115.

716

717 A law enforcement agency may fingerprint and photograph a child

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718 taken into custody upon probable cause that such child has
719 committed any other violation of law, as the agency deems
720 appropriate. Such fingerprint records and photographs shall be
721 retained by the law enforcement agency in a separate file, and
722 these records and all copies thereof must be marked "Juvenile
723 Confidential." These records are not available for public
724 disclosure and inspection under s. 119.07(1) except as provided
725 in ss. 943.053 and 985.04(2), but shall be available to other
726 law enforcement agencies, criminal justice agencies, state
727 attorneys, the courts, the child, the parents or legal
728 custodians of the child, their attorneys, and any other person
729 authorized by the court to have access to such records. In
730 addition, such records may be submitted to the Department of Law
731 Enforcement for inclusion in the state criminal history records
732 and used by criminal justice agencies for criminal justice
733 purposes. These records may, in the discretion of the court, be
734 open to inspection by anyone upon a showing of cause. The
735 fingerprint and photograph records shall be produced in the
736 court whenever directed by the court. Any photograph taken
737 pursuant to this section may be shown by a law enforcement
738 officer to any victim or witness of a crime for the purpose of
739 identifying the person who committed such crime.

740 Section 12. For the purpose of incorporating the amendment
741 made by this act to section 790.115, Florida Statutes, in a
742 reference thereto, paragraph (a) of subsection (1) of section
743 985.557, Florida Statutes, is reenacted to read:

744 985.557 Direct filing of an information; discretionary
745 criteria.—

746 (1) DISCRETIONARY DIRECT FILE.—

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747 (a) With respect to any child who was 14 or 15 years of age
748 at the time the alleged offense was committed, the state
749 attorney may file an information when in the state attorney's
750 judgment and discretion the public interest requires that adult
751 sanctions be considered or imposed and when the offense charged
752 is for the commission of, attempt to commit, or conspiracy to
753 commit:

- 754 1. Arson;
- 755 2. Sexual battery;
- 756 3. Robbery;
- 757 4. Kidnapping;
- 758 5. Aggravated child abuse;
- 759 6. Aggravated assault;
- 760 7. Aggravated stalking;
- 761 8. Murder;
- 762 9. Manslaughter;
- 763 10. Unlawful throwing, placing, or discharging of a
764 destructive device or bomb;
- 765 11. Armed burglary in violation of s. 810.02(2)(b) or
766 specified burglary of a dwelling or structure in violation of s.
767 810.02(2)(c), or burglary with an assault or battery in
768 violation of s. 810.02(2)(a);
- 769 12. Aggravated battery;
- 770 13. Any lewd or lascivious offense committed upon or in the
771 presence of a person less than 16 years of age;
- 772 14. Carrying, displaying, using, threatening, or attempting
773 to use a weapon or firearm during the commission of a felony;
- 774 15. Grand theft in violation of s. 812.014(2)(a);
- 775 16. Possessing or discharging any weapon or firearm on

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776 school property in violation of s. 790.115;
777 17. Home invasion robbery;
778 18. Carjacking; or
779 19. Grand theft of a motor vehicle in violation of s.
780 812.014(2)(c)6. or grand theft of a motor vehicle valued at
781 \$20,000 or more in violation of s. 812.014(2)(b) if the child
782 has a previous adjudication for grand theft of a motor vehicle
783 in violation of s. 812.014(2)(c)6. or s. 812.014(2)(b).
784 Section 13. This act shall take effect July 1, 2025.