

HB 1549

2026

A bill to be entitled  
An act relating to penalties for driving under the influence; providing a short title; amending s. 316.193, F.S.; increasing penalties for driving under the influence; amending s. 322.28, F.S.; increasing driver license or driving privilege revocation periods for driving under the influence; amending s. 322.271, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

**Section 1.** This act may be cited as "Michael's Law."

Section 2. Paragraph (a) of subsection (2) of section 316.193, Florida Statutes, is amended to read:

### 316.193 Driving under the influence; penalties.—

(2) (a) Except as provided in paragraph (b), subsection (3), or subsection (4), any person who is convicted of a violation of subsection (1) shall be punished:

1. By a fine of:

a. Not less than \$1,000 ~~\$500~~ or more than \$2,000 ~~\$1,000~~ for a first conviction.

b. Not less than \$2,000 ~~\$1,000~~ or more than \$3,000 ~~\$2,000~~  
for a second conviction; and

## 2. By imprisonment for:

26       a. Not more than 9 6 months for a first conviction.  
27       b. Not more than 12 9 months for a second conviction.  
28       3. For a second conviction, by mandatory placement for a  
29 period of at least 1 year, at the convicted person's sole  
30 expense, of an ignition interlock device approved by the  
31 department in accordance with s. 316.1938 upon all vehicles that  
32 are individually or jointly leased or owned and routinely  
33 operated by the convicted person, when the convicted person  
34 qualifies for a permanent or restricted license.

35  
36 The portion of a fine imposed in excess of \$1,000 \$500 pursuant  
37 to sub subparagraph 1.a. and the portion of a fine imposed in  
38 excess of \$2,000 \$1,000 pursuant to sub subparagraph 1.b., shall  
39 be remitted by the clerk to the Department of Revenue for  
40 deposit into the General Revenue Fund.

41       **Section 3. Paragraph (a) of subsection (2) and paragraph**  
42 **(a) of subsection (4) of section 322.28, Florida Statutes, are**  
43 **amended to read:**

44       322.28 Period of suspension or revocation.—  
45       (2) In a prosecution for a violation of s. 316.193 or  
46 former s. 316.1931, the following provisions apply:  
47       (a) Upon conviction of the driver, the court, along with  
48 imposing sentence, shall revoke the driver license or driving  
49 privilege of the person so convicted, effective on the date of  
50 conviction, and shall prescribe the period of such revocation in

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51 accordance with the following provisions:

52 1. Upon a first conviction for a violation of ~~the~~  
53 ~~provisions of~~ s. 316.193, except a violation resulting in death,  
54 the driver license or driving privilege shall be revoked for at  
55 least 3 years ~~180 days~~ but not more than 5 years ~~1 year~~.

56 2. Upon a second conviction for an offense that occurs  
57 within a period of 5 years after the date of a prior conviction  
58 for a violation of ~~the provisions of~~ s. 316.193 or former s.  
59 316.1931 or a combination of such sections, the driver license  
60 or driving privilege shall be revoked for at least 7 ½ years.

61 3. Upon a third conviction for an offense that occurs  
62 within a period of 10 years after the date of a prior conviction  
63 for the violation of ~~the provisions of~~ s. 316.193 or former s.  
64 316.1931 or a combination of such sections, the driver license  
65 or driving privilege shall be revoked for at least 10 years.

66  
67 For the purposes of this paragraph, a previous conviction  
68 outside this state for driving under the influence, driving  
69 while intoxicated, driving with an unlawful blood-alcohol level,  
70 or any other alcohol-related or drug-related traffic offense  
71 similar to the offense of driving under the influence as  
72 proscribed by s. 316.193 will be considered a previous  
73 conviction for violation of s. 316.193, and a conviction for  
74 violation of former s. 316.028, former s. 316.1931, or former s.  
75 860.01 is considered a conviction for violation of s. 316.193.

76       (4) (a) Upon a conviction for a violation of s.  
77       316.193(3)(c)2., involving serious bodily injury, a conviction  
78       of manslaughter resulting from the operation of a motor vehicle,  
79       or a conviction of vehicular homicide, the court shall revoke  
80       the driver license of the person convicted for a minimum period  
81       of 5 3 years. If a conviction under s. 316.193(3)(c)2.,  
82       involving serious bodily injury, is also a subsequent conviction  
83       as described under paragraph (2)(a), the court shall revoke the  
84       driver license or driving privilege of the person convicted for  
85       the period applicable as provided in paragraph (2)(a) or  
86       paragraph (2)(d).

87       **Section 4. Paragraph (c) of subsection (2) of section  
88 322.271, Florida Statutes, is amended to read:**

89       322.271 Authority to modify revocation, cancellation, or  
90       suspension order.—

91       (2) At such hearing, the person whose license has been  
92       suspended, canceled, or revoked may show that such suspension,  
93       cancellation, or revocation causes a serious hardship and  
94       precludes the person from carrying out his or her normal  
95       business occupation, trade, or employment and that the use of  
96       the person's license in the normal course of his or her business  
97       is necessary to the proper support of the person or his or her  
98       family.

99       (c) A person whose license has been revoked for a period  
100      of 7 5 years or less pursuant to s. 322.28(2)(a) may, 12 months

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101 after the date the revocation was imposed, petition the  
102 department for reinstatement of his or her driving privilege on  
103 a restricted basis. A person whose license has been revoked for  
104 more than 7 ½ years under s. 322.28(2)(a) may, 24 months after  
105 the date the revocation was imposed, petition the department for  
106 reinstatement of his or her driving privilege on a restricted  
107 basis. Reinstatement under this subsection is restricted to  
108 business or employment purposes only. In addition, the  
109 department shall require such persons upon reinstatement to have  
110 not driven and to have been drug free for at least 12 months  
111 immediately before the reinstatement, to be supervised by a DUI  
112 program licensed by the department, and to report to the program  
113 at least three times a year as required by the program for the  
114 duration of the revocation period for supervision. Such  
115 supervision includes evaluation, education, referral into  
116 treatment, and other activities required by the department. Such  
117 persons shall assume reasonable costs of supervision. If the  
118 person fails to comply with the required supervision, the  
119 program shall report the failure to the department, and the  
120 department shall cancel the person's driving privilege. This  
121 paragraph does not apply to any person whose driving privilege  
122 has been permanently revoked.

123       **Section 5.** This act shall take effect October 1, 2026.