

A bill to be entitled  
An act relating to domestic violence and protective injunctions; amending s. 741.28, F.S.; defining the terms "electronic monitoring" and "military protective order"; creating s. 741.2801, F.S.; defining the term "conviction"; providing enhanced penalties for committing a domestic violence offense if a person has a prior conviction for domestic violence; providing that sentencing and incentive gain-time eligibility determinations are made without regard to a penalty enhancement; amending s. 741.281, F.S.; authorizing, and in certain circumstances requiring, a court to order electronic monitoring in domestic violence cases; amending s. 741.30, F.S.; revising the information contained in a petition for injunction for protection against domestic violence; revising the factors a judge may consider in determining whether to grant a petition for injunction against domestic violence; requiring the Department of Law Enforcement to enter injunctions against dating violence and sexual violence into a statewide verification system; amending s. 741.31, F.S.; authorizing, and in certain circumstances requiring, a court to order electronic monitoring for a respondent to an injunction for protection against domestic violence; requiring the

26 respondent to pay for such electronic monitoring  
27 services; requiring a law enforcement officer to make  
28 a specified notification if he or she has probable  
29 cause to believe that a person violated a military  
30 protective order; amending s. 784.047, F.S.;  
31 authorizing, and in certain circumstances requiring, a  
32 court to order electronic monitoring for a respondent  
33 in an injunction for protection against dating  
34 violence, repeat violence, or sexual violence;  
35 requiring the respondent to pay for such electronic  
36 monitoring services; amending s. 960.198, F.S.;  
37 increasing the dollar amounts for relocation  
38 assistance for victims of domestic violence; amending  
39 ss. 921.0024, 943.0584, and 943.171, F.S.; conforming  
40 cross-references; providing an effective date.

41  
42 Be It Enacted by the Legislature of the State of Florida:

43  
44 **Section 1. Subsections (3) and (4) of section 741.28, Florida Statutes, are renumbered as subsections (4) and (5), respectively, and a new subsection (3) and subsection (6) are added to that section, to read:**

45 741.28 Domestic violence; definitions.—As used in ss.  
46 741.28-741.31:

47 (3) "Electronic monitoring" means tracking the location of

51    a person through the use of technology that is capable of  
52    determining or identifying the monitored person's presence or  
53    absence at a particular location, including, but not limited to:

54        (a) Radio frequency signaling technology, which detects if  
55    the monitored person is or is not at an approved location and  
56    notifies the monitoring agency of the time that the monitored  
57    person either leaves the approved location or tampers with or  
58    removes the monitoring device; or

59        (b) Active or passive global positioning system  
60    technology, which detects the location of the monitored person  
61    and notifies the monitoring agency of the monitored person's  
62    location and which may also include electronic monitoring with  
63    victim notification technology that is capable of notifying a  
64    victim or protected party, either directly or through a  
65    monitoring agency, if the monitored person enters within the  
66    restricted distance of a victim or protected party or within the  
67    restricted distance of a designated location.

68        (6) "Military protective order" means a protective order  
69    issued in accordance with 10 U.S.C. s. 1567 by a commanding  
70    officer in the Armed Forces of the United States or the National  
71    Guard of any state against a person under such officer's  
72    command.

73        **Section 2. Section 741.2801, Florida Statutes, is created**  
74    **to read:**

75        741.2801 Domestic violence; enhanced penalties.—

76       (1) As used in this section, the term "conviction" means a  
77 determination of guilt that is the result of a plea or trial,  
78 regardless of whether adjudication is withheld or a plea or nolo  
79 contendere is entered.

80       (2) If a person has a prior conviction for a crime of  
81 domestic violence, upon a finding by the factfinder that the  
82 defendant committed a second or subsequent offense of domestic  
83 violence, the penalty for any such felony or misdemeanor offense  
84 may be enhanced. Any penalty enhancement affects the applicable  
85 statutory maximum penalty only. Each of the findings required as  
86 a basis for such sentence must be found beyond a reasonable  
87 doubt. The enhancement will be as follows:

88       (a) A misdemeanor of the second degree may be punished as  
89 if it were a misdemeanor of the first degree.

90       (b) A misdemeanor of the first degree may be punished as  
91 if it were a felony of the third degree. For purposes of  
92 sentencing under chapter 921, such offense is ranked in level 1  
93 of the offense severity ranking chart.

94       (c) A felony of the third degree may be punished as if it  
95 were a felony of the second degree.

96       (d) A felony of the second degree may be punished as if it  
97 were a felony of the first degree.

98       (e) A felony of the first degree may be punished as if it  
99 were a life felony.

101     For purposes of sentencing under chapter 921 and determining  
102     incentive gain-time eligibility under chapter 944, such felony  
103     offense is ranked as provided in s. 921.0022 or s. 921.0023 and  
104     without regard to the penalty enhancement in this section.

105       **Section 3. Section 741.281, Florida Statutes, is amended**  
106       **to read:**

107        741.281 Court to order batterers' intervention program  
108        attendance; electronic monitoring.—

109        (1) If a person is found guilty of, has adjudication  
110        withheld on, or pleads nolo contendere to a crime of domestic  
111        violence, ~~as defined in s. 741.28~~, that person shall be ordered  
112        by the court to a minimum term of 1 year's probation and the  
113        court shall order that the defendant attend and complete a  
114        batterers' intervention program as a condition of probation. The  
115        court must impose the condition of the batterers' intervention  
116        program for a defendant under this section, but the court, in  
117        its discretion, may determine not to impose the condition if it  
118        states on the record why a batterers' intervention program might  
119        be inappropriate. The court must impose the condition of the  
120        batterers' intervention program for a defendant placed on  
121        probation unless the court determines that the person does not  
122        qualify for the batterers' intervention program pursuant to s.  
123        741.325. The imposition of probation under this section does not  
124        preclude the court from imposing any sentence of imprisonment  
125        authorized by s. 775.082.

126        (2) If a person is found guilty of, has adjudication  
127        withheld on, or pleads nolo contendere to a crime of domestic  
128        violence, and the court enters a no contact order with the  
129        victim as a condition of his or her probation, the court:

130        (a) May order the person to have electronic monitoring  
131        supervision as a condition of his or her probation.

132        (b) Must order the person to have electronic monitoring  
133        supervision as a condition of his or her probation if:

134        1. The court finds there is clear and convincing evidence  
135        that the defendant poses a threat of violence or physical harm  
136        to the victim; or

137        2. The defendant has previously been convicted for  
138        violating an injunction for protection against domestic  
139        violence, dating violence, repeat violence, sexual violence, or  
140        stalking.

141        **Section 4. Paragraph (b) of subsection (3), paragraph (b)**  
142        **of subsection (6), and paragraph (b) of subsection (8) of**  
143        **section 741.30, Florida Statutes, are amended to read:**

144        741.30 Domestic violence; injunction; powers and duties of  
145        court and clerk; petition; notice and hearing; temporary  
146        injunction; issuance of injunction; statewide verification  
147        system; enforcement; public records exemption.—

148        (3)

149        (b) The verified petition shall be in substantially the  
150        following form:

## 151 PETITION FOR

## 152 INJUNCTION FOR PROTECTION

## 153 AGAINST DOMESTIC VIOLENCE

154 The undersigned petitioner ... (name) ... declares under penalties  
155 of perjury that the following statements are true:

156 (a) Petitioner resides at: ... (address) ...

157 (Petitioner may furnish address to the court in a separate  
158 confidential filing if, for safety reasons, the petitioner  
159 requires the location of the current residence to be  
160 confidential.)

161 (b) Respondent resides at: ... (last known address) ...

162 (c) Respondent's last known place of employment: ... (name  
163 of business and address) ...

164 (d) Physical description of respondent:.....

165 Race.....

166 Sex.....

167 Date of birth.....

168 Height.....

169 Weight.....

170 Eye color.....

171 Hair color.....

172 Distinguishing marks or scars.....

173 (e) Aliases of respondent:.....

174 (f) Respondent is the spouse or former spouse of the  
175 petitioner or is any other person related by blood or marriage

176 to the petitioner or is any other person who is or was residing  
177 within a single dwelling unit with the petitioner, as if a  
178 family, or is a person with whom the petitioner has a child in  
179 common, regardless of whether the petitioner and respondent are  
180 or were married or residing together, as if a family.

181 (g) The following describes any other cause of action  
182 currently pending between the petitioner and respondent:.....

184 The petitioner should also describe any previous or pending  
185 attempts by the petitioner to obtain an injunction for  
186 protection against domestic violence in this or any other  
187 circuit, and the results of that attempt:.....

188  
189 Case numbers should be included if available.

190 (h) Petitioner is either a victim of domestic violence or  
191 has reasonable cause to believe he or she is in imminent danger  
192 of becoming a victim of domestic violence because respondent  
193 has: ... (mark all sections that apply and describe in the spaces  
194 below the incidents of violence or threats of violence,  
195 specifying when and where they occurred, including, but not  
196 limited to, locations such as a home, school, place of  
197 employment, or visitation exchange) ...

198 .....

199 .....

200 ....committed or threatened to commit domestic violence

201 defined in s. 741.28, Florida Statutes, as any assault,  
202 aggravated assault, battery, aggravated battery, sexual assault,  
203 sexual battery, stalking, aggravated stalking, kidnapping, false  
204 imprisonment, or any criminal offense resulting in physical  
205 injury or death of one family or household member by another.  
206 With the exception of persons who are parents of a child in  
207 common, the family or household members must be currently  
208 residing or have in the past resided together in the same single  
209 dwelling unit.

210 ....previously threatened, harassed, stalked, or physically  
211 abused the petitioner.

212 ....attempted to harm the petitioner or family members or  
213 individuals closely associated with the petitioner.

214 ....threatened to conceal, kidnap, or harm the petitioner's  
215 child or children.

216 ....intentionally injured or killed or threatened to injure  
217 or kill a family pet, including a service animal as defined in  
218 s. 413.08(1), Florida Statutes, or an emotional support animal  
219 as defined in s. 760.27(1), Florida Statutes.

220 ....used, or has threatened to use, against the petitioner  
221 any weapons such as guns or knives.

222 ....physically restrained the petitioner from leaving the  
223 home or calling law enforcement.

224 ....a criminal history involving violence or the threat of  
225 violence (if known).

226       ....another order of protection issued against him or her  
227 previously or from another jurisdiction (if known).

228       ....destroyed personal property, including, but not limited  
229 to, telephones or other communication equipment, clothing, or  
230 other items belonging to the petitioner.

231       ....engaged in a pattern of abusive, threatening,  
232 intimidating, or controlling behavior composed of a series of  
233 acts over a period of time, however short.

234       ....engaged in any other behavior or conduct that leads the  
235 petitioner to have reasonable cause to believe he or she is in  
236 imminent danger of becoming a victim of domestic violence.

237       (i) Petitioner alleges the following additional specific  
238 facts: ... (mark appropriate sections) ...

239       ....A minor child or minor children reside with the  
240 petitioner whose names and ages are as follows:.....

242       ....Petitioner needs the exclusive use and possession of  
243 the dwelling that the parties share.

244       ....Petitioner is unable to obtain safe alternative housing  
245 because:.....

247       ....Petitioner genuinely fears that respondent imminently  
248 will abuse, remove, or hide the minor child or children from  
249 petitioner because:.....

251       (j) Petitioner genuinely fears imminent domestic violence  
252 by respondent.

253       (k) Petitioner seeks an injunction: ... (mark appropriate  
254 section or sections) ...

255       .... Immediately restraining the respondent from committing  
256 any acts of domestic violence.

257       .... Restraining the respondent from committing any acts of  
258 domestic violence.

259       .... Awarding to the petitioner the temporary exclusive use  
260 and possession of the dwelling that the parties share or  
261 excluding the respondent from the residence of the petitioner.

262       .... Providing a temporary parenting plan, including a  
263 temporary time-sharing schedule, with regard to the minor child  
264 or children of the parties which might involve prohibiting or  
265 limiting time-sharing or requiring that it be supervised by a  
266 third party.

267       .... Designating that the exchange of the minor child or  
268 children of the parties must occur at a neutral safe exchange  
269 location as provided in s. 125.01(8) or a location authorized by  
270 a supervised visitation program as defined in s. 753.01 if  
271 temporary time-sharing of the child is awarded to the  
272 respondent.

273       .... Establishing temporary support for the minor child or  
274 children or the petitioner.

275       .... Directing the respondent to participate in a batterers'

276 intervention program.

277 ....Providing any terms the court deems necessary for the  
278 protection of a victim of domestic violence, or any minor  
279 children of the victim, including any injunctions or directives  
280 to law enforcement agencies.

281 (6)

282 (b) In determining whether a petitioner has reasonable  
283 cause to believe he or she is in imminent danger of becoming a  
284 victim of domestic violence, the court shall consider and  
285 evaluate all relevant factors alleged in the petition,  
286 including, but not limited to:

287 1. The history between the petitioner and the respondent,  
288 including threats, harassment, stalking, and physical abuse.

289 2. Whether the respondent has attempted to harm the  
290 petitioner or family members or individuals closely associated  
291 with the petitioner.

292 3. Whether the respondent has threatened to conceal,  
293 kidnap, or harm the petitioner's child or children.

294 4. Whether the respondent has intentionally injured or  
295 killed or threatened to injure or kill a family pet, including a  
296 service animal as defined in s. 413.08(1) or an emotional  
297 support animal as defined in s. 760.27(1).

298 5. Whether the respondent has used, or has threatened to  
299 use, against the petitioner any weapons such as guns or knives.

300 6. Whether the respondent has physically restrained the

301 petitioner from leaving the home or calling law enforcement.

302 7. Whether the respondent has a criminal history involving  
303 violence or the threat of violence.

304 8. The existence of a verifiable order of protection  
305 issued previously or from another jurisdiction, including a  
306 military protective order.

307 9. Whether the respondent has destroyed personal property,  
308 including, but not limited to, telephones or other  
309 communications equipment, clothing, or other items belonging to  
310 the petitioner.

311 10. Whether the respondent has or had engaged in a pattern  
312 of abusive, threatening, intimidating, or controlling behavior  
313 composed of a series of acts over a period of time, however  
314 short, which evidences a continuity of purpose and which  
315 reasonably causes the petitioner to believe that the petitioner  
316 or his or her minor child or children are in imminent danger of  
317 becoming victims of any act of domestic violence.

318 11. Whether the respondent engaged in any other behavior  
319 or conduct that leads the petitioner to have reasonable cause to  
320 believe that he or she is in imminent danger of becoming a  
321 victim of domestic violence.

322  
323 In making its determination under this paragraph, the court is  
324 not limited to those factors enumerated in subparagraphs 1.-11.

325 (8)

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326 (b) A Domestic, Dating, Sexual, and Repeat Violence  
327 Injunction Statewide Verification System is created within the  
328 Department of Law Enforcement. The department shall establish,  
329 implement, and maintain a statewide communication system capable  
330 of electronically transmitting information to and between  
331 criminal justice agencies relating to domestic violence  
332 injunctions, dating violence injunctions, sexual violence  
333 injunctions, and repeat violence injunctions issued by the  
334 courts throughout the state. Such information must include, but  
335 is not limited to, information as to the existence and status of  
336 any injunction for verification purposes.

337           Section 5. Subsection (5) of section 741.31, Florida  
338 Statutes, is amended, and subsection (7) is added to that  
339 section, to read:

340           741.31 Violation of an injunction for protection against  
341 domestic violence.—

342 (5) Regardless of whether or not there is a criminal  
343 prosecution under subsection (4), the court:

344        (a) Shall order the respondent to attend a batterers'  
345 intervention program if it finds a willful violation of a  
346 domestic violence injunction, unless the court makes written  
347 factual findings in its judgment or order which are based on  
348 substantial evidence, stating why a batterers' intervention  
349 program would be inappropriate.

350 (b) May order the respondent to electronic monitoring

351 supervision for the duration of the injunction for protection.  
352 If electronic monitoring is ordered, the court must establish  
353 exclusion zones and include safety-planning and informed consent  
354 for the petitioner. The respondent is responsible for paying for  
355 the electronic monitoring services as provided in s. 948.09(2).  
356 (c) Must order the respondent to electronic monitoring if  
357 the court finds that either of the circumstances in s.  
358 741.281(2)(b) exist.

359 (7) If a law enforcement officer has probable cause to  
360 believe that a person committed a violation of subsection (4)  
361 and such officer determines that a military protective order  
362 entered into the National Crime Information Center database was  
363 also issued against such person and the officer has probable  
364 cause to believe that the person also violated the military  
365 protective order, the officer, or his or her employing agency,  
366 must notify the law enforcement agency that entered the military  
367 protective order into the database.

368 **Section 6. Subsection (3) is added to section 784.047,  
369 Florida Statutes, to read:**

370 784.047 Penalties for violating protective injunction  
371 against violators; electronic monitoring.—

372 (3) (a) Regardless of whether there is a criminal  
373 prosecution under this section, the court may order the  
374 respondent to electronic monitoring supervision for the duration  
375 of the injunction for protection. If electronic monitoring is

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376       ordered, the court must establish exclusion zones and include  
377       safety planning and informed consent for the petitioner. The  
378       respondent is responsible for paying for the electronic  
379       monitoring services as provided in s. 948.09(2).

380       (b) The court must order the respondent to electronic  
381       monitoring supervision if the court finds that either of the  
382       circumstances in s. 741.281(2) (b) exist.

383       **Section 7. Subsection (1) of section 960.198, Florida**  
384       **Statutes, is amended to read:**

385       960.198 Relocation assistance for victims of domestic  
386       violence.—

387       (1) Notwithstanding the criteria set forth in s. 960.13  
388       for crime victim compensation awards, the department may award a  
389       one-time payment of up to \$2,500 ~~\$1,500~~ on any one claim and a  
390       lifetime maximum of \$5,000 ~~\$3,000~~ to a victim of domestic  
391       violence who needs immediate assistance to escape from a  
392       domestic violence environment.

393       **Section 8. Paragraph (b) of subsection (1) of section**  
394       **921.0024, Florida Statutes, is amended to read:**

395       921.0024 Criminal Punishment Code; worksheet computations;  
396       scoresheets.—

397       (1)

398       (b) WORKSHEET KEY:

399

400       Legal status points are assessed when any form of legal status

401 existed at the time the offender committed an offense before the  
402 court for sentencing. Four (4) sentence points are assessed for  
403 an offender's legal status.

404

405 Community sanction violation points are assessed when a  
406 community sanction violation is before the court for sentencing.  
407 Six (6) sentence points are assessed for each community sanction  
408 violation and each successive community sanction violation,  
409 unless any of the following apply:

410 1. If the community sanction violation includes a new  
411 felony conviction before the sentencing court, twelve (12)  
412 community sanction violation points are assessed for the  
413 violation, and for each successive community sanction violation  
414 involving a new felony conviction.

415 2. If the community sanction violation is committed by a  
416 violent felony offender of special concern as defined in s.

417 948.06:

418 a. Twelve (12) community sanction violation points are  
419 assessed for the violation and for each successive violation of  
420 felony probation or community control where:

421 I. The violation does not include a new felony conviction;  
422 and

423 II. The community sanction violation is not based solely  
424 on the probationer or offender's failure to pay costs or fines  
425 or make restitution payments.

426       b. Twenty-four (24) community sanction violation points  
427 are assessed for the violation and for each successive violation  
428 of felony probation or community control where the violation  
429 includes a new felony conviction.

430

431       Multiple counts of community sanction violations before the  
432 sentencing court shall not be a basis for multiplying the  
433 assessment of community sanction violation points.

434

435       Prior serious felony points: If the offender has a primary  
436 offense or any additional offense ranked in level 8, level 9, or  
437 level 10, and one or more prior serious felonies, a single  
438 assessment of thirty (30) points shall be added. For purposes of  
439 this section, a prior serious felony is an offense in the  
440 offender's prior record that is ranked in level 8, level 9, or  
441 level 10 under s. 921.0022 or s. 921.0023 and for which the  
442 offender is serving a sentence of confinement, supervision, or  
443 other sanction or for which the offender's date of release from  
444 confinement, supervision, or other sanction, whichever is later,  
445 is within 3 years before the date the primary offense or any  
446 additional offense was committed.

447

448       Prior capital felony points: If the offender has one or more  
449 prior capital felonies in the offender's criminal record, points  
450 shall be added to the subtotal sentence points of the offender

451 equal to twice the number of points the offender receives for  
452 the primary offense and any additional offense. A prior capital  
453 felony in the offender's criminal record is a previous capital  
454 felony offense for which the offender has entered a plea of nolo  
455 contendere or guilty or has been found guilty; or a felony in  
456 another jurisdiction which is a capital felony in that  
457 jurisdiction, or would be a capital felony if the offense were  
458 committed in this state.

459  
460 Possession of a firearm, semiautomatic firearm, or machine gun:  
461 If the offender is convicted of committing or attempting to  
462 commit any felony other than those enumerated in s. 775.087(2)  
463 while having in his or her possession: a firearm as defined in  
464 s. 790.001, an additional eighteen (18) sentence points are  
465 assessed; or if the offender is convicted of committing or  
466 attempting to commit any felony other than those enumerated in  
467 s. 775.087(3) while having in his or her possession a  
468 semiautomatic firearm as defined in s. 775.087(3) or a machine  
469 gun as defined in s. 790.001, an additional twenty-five (25)  
470 sentence points are assessed.

471  
472 Sentencing multipliers:

473  
474 Aggravated Animal Cruelty: If the primary offense is aggravated  
475 animal cruelty under s. 828.12(2), which included the knowing

476 and intentional torture or torment of an animal that injured,  
477 mutilated, or killed the animal, the subtotal sentence points  
478 are multiplied by 1.25. As used in this paragraph, the term  
479 "animal" does not include an animal used for agricultural  
480 purposes or permitted as captive wildlife as authorized under s.  
481 379.303.

482  
483 Drug trafficking: If the primary offense is drug trafficking  
484 under s. 893.135, the subtotal sentence points are multiplied,  
485 at the discretion of the court, for a level 7 or level 8  
486 offense, by 1.5. The state attorney may move the sentencing  
487 court to reduce or suspend the sentence of a person convicted of  
488 a level 7 or level 8 offense, if the offender provides  
489 substantial assistance as described in s. 893.135(4).  
490

491 Violent offenses committed against specified justice system  
492 personnel: If the primary offense is a violation of s.  
493 775.0823(2), (3), or (4), the subtotal sentence points are  
494 multiplied by 2.5. If the primary offense is a violation of s.  
495 775.0823(5), (6), (7), (8), or (9), the subtotal sentence points  
496 are multiplied by 2.0. If the primary offense is a violation of  
497 s. 784.07(3) or s. 775.0875(1), or s. 775.0823(10) or (11), the  
498 subtotal sentence points are multiplied by 1.5.  
499

500 Grand theft of a motor vehicle: If the primary offense is grand

501 theft of the third degree involving a motor vehicle and in the  
502 offender's prior record, there are three or more grand thefts of  
503 the third degree involving a motor vehicle, the subtotal  
504 sentence points are multiplied by 1.5.

505

506 Fleeing or attempting to elude a law enforcement officer: If the  
507 primary offense is fleeing or attempting to elude a law  
508 enforcement officer or aggravated fleeing or eluding in  
509 violation of s. 316.1935, and in the offender's prior record,  
510 there is one or more violation of s. 316.1935, the subtotal  
511 sentence points are multiplied by 1.5.

512

513 Offense related to a criminal gang: If the offender is convicted  
514 of the primary offense and committed that offense for the  
515 purpose of benefiting, promoting, or furthering the interests of  
516 a criminal gang as defined in s. 874.03, the subtotal sentence  
517 points are multiplied by 1.5. If applying the multiplier results  
518 in the lowest permissible sentence exceeding the statutory  
519 maximum sentence for the primary offense under chapter 775, the  
520 court may not apply the multiplier and must sentence the  
521 defendant to the statutory maximum sentence.

522

523 Domestic violence in the presence of a child: If the offender is  
524 convicted of the primary offense and the primary offense is a  
525 crime of domestic violence, as defined in s. 741.28, which was

526 committed in the presence of a child under 16 years of age who  
527 is a family or household member, as defined in s. 741.28, s.  
528 ~~s. 741.28(3)~~ with the victim or perpetrator, the subtotal sentence  
529 points are multiplied by 1.5.

530

531 Adult-on-minor sex offense: If the offender was 18 years of age  
532 or older and the victim was younger than 18 years of age at the  
533 time the offender committed the primary offense, and if the  
534 primary offense was an offense committed on or after October 1,  
535 2014, and is a violation of s. 787.01(2) or s. 787.02(2), if the  
536 violation involved a victim who was a minor and, in the course  
537 of committing that violation, the defendant committed a sexual  
538 battery under chapter 794 or a lewd act under s. 800.04 or s.  
539 847.0135(5) against the minor; s. 787.01(3)(a)2. or 3.; s.  
540 787.02(3)(a)2. or 3.; s. 794.011, excluding s. 794.011(10); s.  
541 800.04; or s. 847.0135(5), the subtotal sentence points are  
542 multiplied by 2.0. If applying the multiplier results in the  
543 lowest permissible sentence exceeding the statutory maximum  
544 sentence for the primary offense under chapter 775, the court  
545 may not apply the multiplier and must sentence the defendant to  
546 the statutory maximum sentence.

547 **Section 9. Paragraph (f) of subsection (2) of section  
548 943.0584, Florida Statutes, is amended to read:**

549 943.0584 Criminal history records ineligible for court-  
550 ordered expunction or court-ordered sealing.—

551       (2) A criminal history record is ineligible for a  
552 certificate of eligibility for expunction or a court-ordered  
553 expunction pursuant to s. 943.0585 or a certificate of  
554 eligibility for sealing or a court-ordered sealing pursuant to  
555 s. 943.059 if the record is a conviction for any of the  
556 following offenses:

557       (f) Assault or battery, as defined in ss. 784.011 and  
558 784.03, respectively, of one family or household member by  
559 another family or household member, as defined in s. 741.28 s.  
560 741.28(3);

561       **Section 10. Paragraph (b) of subsection (2) of section  
562 943.171, Florida Statutes, is amended to read:**

563       943.171 Basic skills training in handling domestic  
564 violence cases.—

565       (2) As used in this section, the term:

566       (b) "Household member" has the meaning set forth in s.  
567 741.28 s. 741.28(3).

568       **Section 11.** This act shall take effect July 1, 2026.