

1                   A bill to be entitled  
2           An act relating to domestic violence and protective  
3           injunctions; amending s. 741.28, F.S.; defining the  
4           term "military protective order"; creating s.  
5           741.2801, F.S.; defining the term "conviction";  
6           reclassifying penalties for committing a domestic  
7           violence offense if a person has a prior conviction  
8           for domestic violence; providing that sentencing and  
9           incentive gain-time eligibility determinations are  
10          made without regard to a penalty enhancement;  
11          providing an exception; creating s. 741.2905, F.S.;  
12          establishing an electronic monitoring pilot program in  
13          a specified county; authorizing, and in certain  
14          circumstances requiring, a court to order electronic  
15          monitoring supervision if certain conditions are met;  
16          requiring the sheriff, in consultation with certain  
17          persons, to design and implement the pilot program;  
18          providing requirements for the pilot program;  
19          requiring the sheriff to complete an evaluation and  
20          provide specified reports to the Legislature;  
21          providing requirements for such reports; requiring an  
22          order for electronic monitoring supervision to  
23          terminate on a specified date; providing for repeal of  
24          the pilot program; amending s. 741.30, F.S.; revising  
25          the information contained in a petition for injunction

26 for protection against domestic violence; revising the  
 27 factors a judge may consider in determining whether to  
 28 grant a petition for injunction against domestic  
 29 violence; requiring the Department of Law Enforcement  
 30 to enter injunctions against dating violence and  
 31 sexual violence into a statewide verification system;  
 32 amending s. 741.31, F.S.; requiring a law enforcement  
 33 officer to make a specified notification if he or she  
 34 has probable cause to believe that a person violated a  
 35 military protective order; amending s. 943.05, F.S.;  
 36 conforming provisions to changes made by the act;  
 37 amending s. 960.198, F.S.; increasing the dollar  
 38 amounts for relocation assistance for victims of  
 39 domestic violence; providing an effective date.

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

42  
 43 **Section 1. Subsection (5) is added to section 741.28,**  
 44 **Florida Statutes, to read:**

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

47 (5) "Military protective order" means a protective order  
 48 issued in accordance with 10 U.S.C. s. 1567 by a commanding  
 49 officer in the Armed Forces of the United States or the National  
 50 Guard of any state against a person under such officer's

51 command.

52 **Section 2. Section 741.2801, Florida Statutes, is created**  
53 **to read:**

54 741.2801 Domestic violence; enhanced penalties.—

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

59 (2) The penalty for a crime of domestic violence shall be  
60 reclassified if, at the time of the commission of the offense,  
61 the offender has a prior conviction for a crime of domestic  
62 violence. The reclassification is as follows:

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

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

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

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

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

75

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

80 (3) The penalty enhancement in this section does not apply  
81 to a conviction for felony battery under s. 784.03(2).

82 **Section 3. Section 741.2905, Florida Statutes, is created**  
83 **to read:**

84 741.2905 Domestic Violence and Violation of Protective  
85 Injunction Electronic Monitoring Pilot Program.—

86 (1) An electronic monitoring pilot program is established  
87 in Pinellas County beginning on July 1, 2026, and ending on June  
88 30, 2028.

89 (2) For an offense committed on or after July 1, 2026, if  
90 a person who is 18 years of age or older is found guilty of, has  
91 adjudication withheld on, or pleads nolo contendere to a  
92 misdemeanor crime of domestic violence as defined in s. 741.28,  
93 a violation of an injunction for protection against domestic  
94 violence under s. 741.31, or a violation of an injunction for  
95 protection against sexual violence or dating violence under s.  
96 784.047, and a court enters a no contact order with the victim  
97 as a condition of the person's probation, the court in the  
98 participating county:

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

101 (b) Must order the person to have electronic monitoring  
102 supervision as a condition of his or her probation if the court  
103 finds that there is clear and convincing evidence that the  
104 defendant poses a threat of violence or physical harm to the  
105 victim. In making such determination, the court must consider  
106 whether the defendant has previously been convicted for  
107 violating an injunction for protection against domestic  
108 violence, dating violence, sexual violence, or stalking.

109 (3) The sheriff in Pinellas County, in consultation with  
110 the chief judge of the judicial circuit, the state attorney, and  
111 the public defender, shall design and implement the electronic  
112 monitoring pilot program established under this section. The  
113 pilot program must comply with the following:

114 (a) Notwithstanding any other law, the sheriff shall  
115 manage the electronic monitoring supervision of all persons  
116 ordered to such supervision under this section. Any other terms  
117 and conditions of a person's probation shall be managed in  
118 accordance with current law.

119 (b) A person designated by the sheriff must meet with any  
120 person ordered to electronic monitoring under this section, and  
121 he or she must explain the conditions of electronic monitoring  
122 supervision, including identifying prohibited locations, and the  
123 consequences for noncompliance with such conditions.

124 (c) A person ordered to electronic monitoring supervision  
125 under this section must pay the costs for such supervision. The

126 sheriff, at his or her discretion, may reduce or waive the costs  
127 of electronic monitoring supervision.

128 (d) A court may not order electronic monitoring  
129 supervision in lieu of any other mandatory term or condition of  
130 probation, including participation in a batterers' intervention  
131 program required under s. 741.281.

132 (e) The sheriff must specify a procedure by which a person  
133 ordered to electronic monitoring supervision under this section  
134 may petition a court to remove such order, including terminating  
135 the order, if the person establishes a permanent residence in  
136 another state.

137 (4) The sheriff in Pinellas County must complete an  
138 evaluation of the pilot program's effectiveness and provide to  
139 the President of the Senate and the Speaker of the House of  
140 Representatives an initial report by March 1, 2027, a subsequent  
141 report by January 1, 2028, and a final report by September 1,  
142 2028. Each report must include all of the following information:

143 (a) The number of persons placed on electronic monitoring  
144 supervision.

145 (b) The number of violations of electronic monitoring  
146 supervision, including the reason for each violation.

147 (c) The cost of providing electronic monitoring  
148 supervision and how much money the sheriff received to pay for  
149 such supervision.

150 (d) Recommendations on how to improve the efficacy of the

151 pilot program and any difficulties with implementing the pilot  
 152 program.

153 (e) Any other relevant information.

154 (5) An order requiring electronic monitoring supervision  
 155 must terminate by June 30, 2028.

156 (6) This section is repealed July 1, 2028.

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

160 741.30 Domestic violence; injunction; powers and duties of  
 161 court and clerk; petition; notice and hearing; temporary  
 162 injunction; issuance of injunction; statewide verification  
 163 system; enforcement; public records exemption.—

164 (3)

165 (b) The verified petition shall be in substantially the  
 166 following form:

PETITION FOR

INJUNCTION FOR PROTECTION

AGAINST DOMESTIC VIOLENCE

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

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

173 (Petitioner may furnish address to the court in a separate  
 174 confidential filing if, for safety reasons, the petitioner  
 175 requires the location of the current residence to be

176 confidential.)

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

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

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

181 Race.....

182 Sex.....

183 Date of birth.....

184 Height.....

185 Weight.....

186 Eye color.....

187 Hair color.....

188 Distinguishing marks or scars.....

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

190 (f) Respondent is the spouse or former spouse of the  
191 petitioner or is any other person related by blood or marriage  
192 to the petitioner or is any other person who is or was residing  
193 within a single dwelling unit with the petitioner, as if a  
194 family, or is a person with whom the petitioner has a child in  
195 common, regardless of whether the petitioner and respondent are  
196 or were married or residing together, as if a family.

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

199

200 The petitioner should also describe any previous or pending

201 attempts by the petitioner to obtain an injunction for  
202 protection against domestic violence in this or any other  
203 circuit, and the results of that attempt:.....

204  
205 Case numbers should be included if available.

206 (h) Petitioner is either a victim of domestic violence or  
207 has reasonable cause to believe he or she is in imminent danger  
208 of becoming a victim of domestic violence because respondent  
209 has: ...(mark all sections that apply and describe in the spaces  
210 below the incidents of violence or threats of violence,  
211 specifying when and where they occurred, including, but not  
212 limited to, locations such as a home, school, place of  
213 employment, or visitation exchange)...

214 .....  
215 .....

216 ....committed or threatened to commit domestic violence  
217 defined in s. 741.28, Florida Statutes, as any assault,  
218 aggravated assault, battery, aggravated battery, sexual assault,  
219 sexual battery, stalking, aggravated stalking, kidnapping, false  
220 imprisonment, or any criminal offense resulting in physical  
221 injury or death of one family or household member by another.  
222 With the exception of persons who are parents of a child in  
223 common, the family or household members must be currently  
224 residing or have in the past resided together in the same single  
225 dwelling unit.

226           ...previously threatened, harassed, stalked, or physically  
227 abused the petitioner.

228           ...attempted to harm the petitioner or family members or  
229 individuals closely associated with the petitioner.

230           ...threatened to conceal, kidnap, or harm the petitioner's  
231 child or children.

232           ...intentionally injured or killed or threatened to injure  
233 or kill a family pet, including a service animal as defined in  
234 s. 413.08(1), Florida Statutes, or an emotional support animal  
235 as defined in s. 760.27(1), Florida Statutes.

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

238           ...physically restrained the petitioner from leaving the  
239 home or calling law enforcement.

240           ...a criminal history involving violence or the threat of  
241 violence (if known).

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

244           ...destroyed personal property, including, but not limited  
245 to, telephones or other communication equipment, clothing, or  
246 other items belonging to the petitioner.

247           ...engaged in a pattern of abusive, threatening,  
248 intimidating, or controlling behavior composed of a series of  
249 acts over a period of time, however short.

250           ...engaged in any other behavior or conduct that leads the

251 petitioner to have reasonable cause to believe he or she is in  
252 imminent danger of becoming a victim of domestic violence.

253 (i) Petitioner alleges the following additional specific  
254 facts: ...(mark appropriate sections)...

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

257  
258 ....Petitioner needs the exclusive use and possession of  
259 the dwelling that the parties share.

260 ....Petitioner is unable to obtain safe alternative housing  
261 because:.....

262  
263 ....Petitioner genuinely fears that respondent imminently  
264 will abuse, remove, or hide the minor child or children from  
265 petitioner because:.....

266  
267 (j) Petitioner genuinely fears imminent domestic violence  
268 by respondent.

269 (k) Petitioner seeks an injunction: ...(mark appropriate  
270 section or sections)...

271 ....Immediately restraining the respondent from committing  
272 any acts of domestic violence.

273 ....Restraining the respondent from committing any acts of  
274 domestic violence.

275 ....Awarding to the petitioner the temporary exclusive use

276 and possession of the dwelling that the parties share or  
277 excluding the respondent from the residence of the petitioner.

278 . . . . Providing a temporary parenting plan, including a  
279 temporary time-sharing schedule, with regard to the minor child  
280 or children of the parties which might involve prohibiting or  
281 limiting time-sharing or requiring that it be supervised by a  
282 third party.

283 . . . . Designating that the exchange of the minor child or  
284 children of the parties must occur at a neutral safe exchange  
285 location as provided in s. 125.01(8) or a location authorized by  
286 a supervised visitation program as defined in s. 753.01 if  
287 temporary time-sharing of the child is awarded to the  
288 respondent.

289 . . . . Establishing temporary support for the minor child or  
290 children or the petitioner.

291 . . . . Directing the respondent to participate in a batterers'  
292 intervention program.

293 . . . . Providing any terms the court deems necessary for the  
294 protection of a victim of domestic violence, or any minor  
295 children of the victim, including any injunctions or directives  
296 to law enforcement agencies.

297 (6)

298 (b) In determining whether a petitioner has reasonable  
299 cause to believe he or she is in imminent danger of becoming a  
300 victim of domestic violence, the court shall consider and

301 evaluate all relevant factors alleged in the petition,  
302 including, but not limited to:

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

305 2. Whether the respondent has attempted to harm the  
306 petitioner or family members or individuals closely associated  
307 with the petitioner.

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

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

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

316 6. Whether the respondent has physically restrained the  
317 petitioner from leaving the home or calling law enforcement.

318 7. Whether the respondent has a criminal history involving  
319 violence or the threat of violence.

320 8. The existence of a verifiable order of protection  
321 issued previously or from another jurisdiction, including a  
322 military protective order.

323 9. Whether the respondent has destroyed personal property,  
324 including, but not limited to, telephones or other  
325 communications equipment, clothing, or other items belonging to

326 | the petitioner.

327 |       10. Whether the respondent has or had engaged in a pattern  
 328 | of abusive, threatening, intimidating, or controlling behavior  
 329 | composed of a series of acts over a period of time, however  
 330 | short, which evidences a continuity of purpose and which  
 331 | reasonably causes the petitioner to believe that the petitioner  
 332 | or his or her minor child or children are in imminent danger of  
 333 | becoming victims of any act of domestic violence.

334 |       11. Whether the respondent engaged in any other behavior  
 335 | or conduct that leads the petitioner to have reasonable cause to  
 336 | believe that he or she is in imminent danger of becoming a  
 337 | victim of domestic violence.

338 |  
 339 | In making its determination under this paragraph, the court is  
 340 | not limited to those factors enumerated in subparagraphs 1.-11.

341 |       (8)

342 |       (b) A Domestic, Dating, Sexual, and Repeat Violence  
 343 | Injunction Statewide Verification System is created within the  
 344 | Department of Law Enforcement. The department shall establish,  
 345 | implement, and maintain a statewide communication system capable  
 346 | of electronically transmitting information to and between  
 347 | criminal justice agencies relating to domestic violence  
 348 | injunctions, dating violence injunctions, sexual violence  
 349 | injunctions, and repeat violence injunctions issued by the  
 350 | courts throughout the state. Such information must include, but

351 is not limited to, information as to the existence and status of  
 352 any injunction for verification purposes.

353 **Section 5. Subsection (7) is added to section 741.31,**  
 354 **Florida Statutes, to read:**

355 741.31 Violation of an injunction for protection against  
 356 domestic violence.—

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

366 **Section 6. Paragraph (e) of subsection (2) of section**  
 367 **943.05, Florida Statutes, is amended to read:**

368 943.05 Criminal Justice Information Program; duties; crime  
 369 reports.—

370 (2) The program shall:

371 (e) Establish, implement, and maintain a Domestic, Dating,  
 372 Sexual, and Repeat Violence Injunction Statewide Verification  
 373 System capable of electronically transmitting information to and  
 374 between criminal justice agencies relating to domestic violence  
 375 injunctions, dating violence injunctions, sexual violence

376 injunctions, repeat violence injunctions, and injunctions to  
 377 prevent child abuse issued under chapter 39, ~~and repeat violence~~  
 378 ~~injunctions~~ issued by the courts throughout the state. Such  
 379 information must include, but is not limited to, information as  
 380 to the existence and status of any such injunction for  
 381 verification purposes.

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

384 960.198 Relocation assistance for victims of domestic  
 385 violence.—

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

392 **Section 8.** This act shall take effect July 1, 2026.