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1
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; creating s. 741.2906, F.S.;
25 defining the term "department"; establishing an

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26 | electronic monitoring pilot program in a specified
27 | judicial circuit; authorizing, and in certain
28 | circumstances requiring, a court to order electronic
29 | monitoring supervision if certain conditions are met;
30 | providing requirements for the pilot program;
31 | requiring the Department of Corrections to complete an
32 | evaluation and provide specified reports to the
33 | Legislature; providing requirements for such reports;
34 | requiring an order for electronic monitoring
35 | supervision to terminate on a specified date;
36 | providing for repeal of the pilot program; amending s.
37 | 741.30, F.S.; revising the information contained in a
38 | petition for injunction for protection against
39 | domestic violence; revising the factors a judge may
40 | consider in determining whether to grant a petition
41 | for injunction against domestic violence; requiring
42 | the Department of Law Enforcement to enter injunctions
43 | against dating violence and sexual violence into a
44 | statewide verification system; amending s. 741.31,
45 | F.S.; providing that a person who has a prior
46 | conviction for a crime of domestic violence or
47 | violation of an injunction or foreign protection
48 | order, and who subsequently commits a violation of any
49 | injunction or foreign protection order against the
50 | same victim, commits a felony of the third degree;

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requiring a law enforcement officer to make a
specified notification if he or she has probable cause
to believe that a person violated a military
protective order; amending s. 943.05, F.S.; conforming
provisions to changes made by the act; amending s.
960.198, F.S.; increasing the dollar amounts for
relocation assistance for victims of domestic
violence; providing an effective date.

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

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

741.28 Domestic violence; definitions.—As used in ss.
741.28–741.31:

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

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

741.2801 Domestic violence; enhanced penalties.—

(1) As used in this section, the term "conviction" means a
determination of guilt that is the result of a plea or trial,

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76 regardless of whether adjudication is withheld or a plea of nolo
77 contendere is entered.

78 (2) The penalty for a crime of domestic violence shall be
79 reclassified if, at the time of the commission of the offense,
80 the offender has a prior conviction for a crime of domestic
81 violence. The reclassification is as follows:

82 (a) A misdemeanor of the second degree is reclassified to
83 a misdemeanor of the first degree.

84 (b) A misdemeanor of the first degree is reclassified to a
85 felony of the third degree. For purposes of sentencing under
86 chapter 921, such offense is ranked in level 1 of the offense
87 severity ranking chart.

88 (c) A felony of the third degree is reclassified to a
89 felony of the second degree.

90 (d) A felony of the second degree is reclassified to a
91 felony of the first degree.

92 (e) A felony of the first degree is reclassified to a life
93 felony.

94
95 For purposes of sentencing under chapter 921 and determining
96 incentive gain-time eligibility under chapter 944, a felony
97 offense that is reclassified under this section is ranked as
98 provided in s. 921.0022 or s. 921.0023 without regard to the
99 penalty enhancement in this section.

100 (3) The penalty enhancement in this section does not apply

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101 to a conviction for felony battery under s. 784.03(2).

102 Section 3. Section 741.2905, Florida Statutes, is created
103 to read:

104 741.2905 Domestic Violence and Violation of Protective
105 Injunction Electronic Monitoring Pilot Program.—

106 (1) An electronic monitoring pilot program is established
107 in Pinellas County beginning on July 1, 2026, and ending on June
108 30, 2028.

109 (2) For an offense committed on or after July 1, 2026, if
110 a person who is 18 years of age or older is found guilty of, has
111 adjudication withheld on, or pleads nolo contendere to a
112 misdemeanor crime of domestic violence as defined in s. 741.28,
113 a violation of an injunction for protection against domestic
114 violence under s. 741.31, or a violation of an injunction for
115 protection against sexual violence or dating violence under s.
116 784.047, and a court enters a no contact order with the victim
117 as a condition of the person's probation, the court in the
118 participating county:

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

121 (b) Must order the person to have electronic monitoring
122 supervision as a condition of his or her probation if the court
123 finds that there is clear and convincing evidence that the
124 defendant poses a threat of violence or physical harm to the
125 victim. In making such determination, the court must consider

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126 whether the defendant has previously been convicted for
127 violating an injunction for protection against domestic
128 violence, dating violence, sexual violence, or stalking.

129 (3) The sheriff in Pinellas County, in consultation with
130 the chief judge of the judicial circuit, the state attorney, and
131 the public defender, shall design and implement the electronic
132 monitoring pilot program established under this section. The
133 pilot program must comply with the following:

134 (a) Notwithstanding any other law, the sheriff shall
135 manage the electronic monitoring supervision of all persons
136 ordered to such supervision under this section. Any other terms
137 and conditions of a person's probation shall be managed in
138 accordance with current law.

139 (b) A person designated by the sheriff must meet with any
140 person ordered to electronic monitoring under this section, and
141 he or she must explain the conditions of electronic monitoring
142 supervision, including identifying prohibited locations, and the
143 consequences for noncompliance with such conditions.

144 (c) A person ordered to electronic monitoring supervision
145 under this section must pay the costs for such supervision. The
146 sheriff, at his or her discretion, may reduce or waive the costs
147 of electronic monitoring supervision.

148 (d) A court may not order electronic monitoring
149 supervision in lieu of any other mandatory term or condition of
150 probation, including participation in a batterers' intervention

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151 program required under s. 741.281.

152 (e) The sheriff must specify a procedure by which a person
153 ordered to electronic monitoring supervision under this section
154 may petition a court to remove such order, including terminating
155 the order, if the person establishes a permanent residence in
156 another state.

157 (4) The sheriff in Pinellas County must complete an
158 evaluation of the pilot program's effectiveness and provide to
159 the President of the Senate and the Speaker of the House of
160 Representatives an initial report by March 1, 2027, a subsequent
161 report by January 1, 2028, and a final report by September 1,
162 2028. Each report must include all of the following information:

163 (a) The number of persons placed on electronic monitoring
164 supervision.

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

167 (c) The cost of providing electronic monitoring
168 supervision and how much money the sheriff received to pay for
169 such supervision.

170 (d) Recommendations on how to improve the efficacy of the
171 pilot program and any difficulties with implementing the pilot
172 program.

173 (e) Any other relevant information.

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

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

177 Section 4. Section 741.2906, Florida Statutes, is created
178 to read:

179 741.2906 Felony Domestic Violence and Violation of
180 Protective Injunction Electronic Monitoring Pilot Program.—

181 (1) As used in this section, the term "department" means
182 the Department of Corrections.

183 (2) An electronic monitoring pilot program is established
184 in the Sixth Judicial Circuit beginning on July 1, 2026, and
185 ending on June 30, 2028.

186 (3) For an offense committed on or after July 1, 2026, if
187 a person who is 18 years of age or older is found guilty of, has
188 adjudication withheld on, or pleads nolo contendere to a felony
189 crime of domestic violence as defined in s. 741.28, a felony
190 violation of an injunction for protection against domestic
191 violence under s. 741.31, or a felony violation of an injunction
192 for protection against sexual violence or dating violence under
193 s. 784.047, and a court enters a no contact order with the
194 victim as a condition of the person's probation, the court in
195 the judicial circuit:

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

198 (b) Must order the person to have electronic monitoring
199 supervision as a condition of his or her probation if the court
200 finds that there is clear and convincing evidence that the

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201 defendant poses a threat of violence or physical harm to the
202 victim. In making such determination, the court must consider
203 whether the defendant has previously been convicted for
204 violating an injunction for protection against domestic
205 violence, dating violence, sexual violence, or stalking.

206 (4) The pilot program must comply with the following:

207 (a) A person designated by the department must meet with
208 any person ordered to electronic monitoring supervision under
209 this section, and he or she must explain the conditions of
210 electronic monitoring supervision, including identifying
211 prohibited locations, and the consequences for noncompliance
212 with such conditions.

213 (b) A person ordered to electronic monitoring supervision
214 under this section must pay the costs for such supervision as
215 provided in s. 948.09.

216 (c) A court may not order electronic monitoring
217 supervision in lieu of any other mandatory term or condition of
218 probation, including participation in a batterers' intervention
219 program required under s. 741.281.

220 (d) The department must specify a procedure by which a
221 person ordered to electronic monitoring supervision under this
222 section may petition a court to remove such order.

223 (5) The department must complete an evaluation of the
224 pilot program's effectiveness and provide to the President of
225 the Senate and the Speaker of the House of Representatives an

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226 initial report by March 1, 2027, a subsequent report by January
227 1, 2028, and a final report by September 1, 2028. Each report
228 must include all of the following information:

229 (a) The number of persons placed on electronic monitoring
230 supervision.

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

233 (c) The cost of providing electronic monitoring
234 supervision and how much money the department received to pay
235 for such supervision.

236 (d) Recommendations on how to improve the efficacy of the
237 pilot program and any difficulties with implementing the pilot
238 program.

239 (e) Any other relevant information.

240 (6) The department may adopt rules to implement this
241 section.

242 (7) This section is repealed July 1, 2028.

243 Section 5. Paragraph (b) of subsection (3), paragraph (b)
244 of subsection (6), and paragraph (b) of subsection (8) of
245 section 741.30, Florida Statutes, are amended to read:

246 741.30 Domestic violence; injunction; powers and duties of
247 court and clerk; petition; notice and hearing; temporary
248 injunction; issuance of injunction; statewide verification
249 system; enforcement; public records exemption.—

250 (3)

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

PETITION FOR
INJUNCTION FOR PROTECTION
AGAINST DOMESTIC VIOLENCE

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

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

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

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

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

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

Race.....

Sex.....

Date of birth.....

Height.....

Weight.....

Eye color.....

Hair color.....

Distinguishing marks or scars.....

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

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

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

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

Case numbers should be included if available.

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

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.....

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

....Petitioner genuinely fears that respondent imminently will abuse, remove, or hide the minor child or children from

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petitioner because:.....

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

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

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

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

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

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

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

....Establishing temporary support for the minor child or

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children or the petitioner.

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

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

(6)

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

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

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

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

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

5. Whether the respondent has used, or has threatened to

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401 use, against the petitioner any weapons such as guns or knives.

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

404 7. Whether the respondent has a criminal history involving
405 violence or the threat of violence.

406 8. The existence of a verifiable order of protection
407 issued previously or from another jurisdiction, including a
408 military protective order.

409 9. Whether the respondent has destroyed personal property,
410 including, but not limited to, telephones or other
411 communications equipment, clothing, or other items belonging to
412 the petitioner.

413 10. Whether the respondent has or had engaged in a pattern
414 of abusive, threatening, intimidating, or controlling behavior
415 composed of a series of acts over a period of time, however
416 short, which evidences a continuity of purpose and which
417 reasonably causes the petitioner to believe that the petitioner
418 or his or her minor child or children are in imminent danger of
419 becoming victims of any act of domestic violence.

420 11. Whether the respondent engaged in any other behavior
421 or conduct that leads the petitioner to have reasonable cause to
422 believe that he or she is in imminent danger of becoming a
423 victim of domestic violence.

424
425 In making its determination under this paragraph, the court is

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not limited to those factors enumerated in subparagraphs 1.-11.

(8)

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

Section 6. Paragraph (c) of subsection (4) of section 741.31, Florida Statutes, is amended, and subsection (7) is added to that section, to read:

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

(4)

(c) A person who has one ~~two~~ or more prior convictions for a crime of domestic violence or violation of an injunction or foreign protection order, and who subsequently commits a violation of any injunction or foreign protection order against the same victim, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083 or s. 775.084.

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For purposes of this paragraph, the term "conviction" means a determination of guilt which is the result of a plea or a trial, regardless of whether adjudication is withheld or a plea of nolo contendere is entered.

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

Section 7. Paragraph (e) of subsection (2) of section 943.05, Florida Statutes, is amended to read:

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

(2) The program shall:

(e) Establish, implement, and maintain a Domestic, Dating, Sexual, and Repeat Violence Injunction Statewide Verification System capable of electronically transmitting information to and between criminal justice agencies relating to domestic violence injunctions, dating violence injunctions, sexual violence injunctions, repeat violence injunctions, and injunctions to prevent child abuse issued under chapter 39, ~~and repeat violence~~

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476 ~~injunctions~~ issued by the courts throughout the state. Such
477 information must include, but is not limited to, information as
478 to the existence and status of any such injunction for
479 verification purposes.

480 Section 8. Subsection (1) of section 960.198, Florida
481 Statutes, is amended to read:

482 960.198 Relocation assistance for victims of domestic
483 violence.—

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

490 Section 9. This act shall take effect July 1, 2026.