



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/12/2026	.	
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The Committee on Criminal Justice (Martin) recommended the following:

1                   **Senate Amendment (with title amendment)**

2                   Between lines 99 and 100

3                   insert:

4                   Section 3. Paragraph (a) of subsection (9) of section  
5                   775.082, Florida Statutes, is amended to read:

6                   775.082 Penalties; applicability of sentencing structures;  
7                   mandatory minimum sentences for certain reoffenders previously  
8                   released from prison.—

9                   (9)(a)1. "Prison releasee reoffender" means any defendant



11 who commits, or attempts to commit:

12       a. Treason;

13       b. Murder;

14       c. Manslaughter;

15       d. Sexual battery;

16       e. Carjacking;

17       f. Home-invasion robbery;

18       g. Robbery;

19       h. Arson;

20       i. Kidnapping;

21       j. Aggravated assault with a deadly weapon;

22       k. Aggravated battery;

23       l. Aggravated stalking;

24       m. Aircraft piracy;

25       n. Unlawful throwing, placing, or discharging of a  
26 destructive device or bomb;

27       o. Any felony that involves the use or threat of physical  
28 force or violence against an individual;

29       p. Armed burglary;

30       q. Burglary of a dwelling or burglary of an occupied  
31 structure; ~~or~~

32       r. Any felony violation of s. 790.07, s. 800.04, s. 827.03,  
33 s. 827.071, or s. 847.0135(5); or

34       s. Felony battery that results in bodily injury;

35

36 within 3 years after being released from a state correctional  
37 facility operated by the Department of Corrections or a private  
38 vendor, a county detention facility following incarceration for  
39 an offense for which the sentence pronounced was a prison



40 sentence, or a correctional institution of another state, the  
41 District of Columbia, the United States, any possession or  
42 territory of the United States, or any foreign jurisdiction,  
43 following incarceration for an offense for which the sentence is  
44 punishable by more than 1 year in this state.

45 2. "Prison releasee reoffender" also means any defendant  
46 who commits or attempts to commit any offense listed in sub-  
47 subparagraphs 1.a.-s. ~~(a)1.a.-r.~~ while the defendant was serving  
48 a prison sentence or on escape status from a state correctional  
49 facility operated by the Department of Corrections or a private  
50 vendor or while the defendant was on escape status from a  
51 correctional institution of another state, the District of  
52 Columbia, the United States, any possession or territory of the  
53 United States, or any foreign jurisdiction, following  
54 incarceration for an offense for which the sentence is  
55 punishable by more than 1 year in this state.

56 3. If the state attorney determines that a defendant is a  
57 prison releasee reoffender as defined in subparagraph 1., the  
58 state attorney may seek to have the court sentence the defendant  
59 as a prison releasee reoffender. Upon proof from the state  
60 attorney that establishes by a preponderance of the evidence  
61 that a defendant is a prison releasee reoffender as defined in  
62 this section, such defendant is not eligible for sentencing  
63 under the sentencing guidelines and must be sentenced as  
64 follows:

65 a. For a felony punishable by life, by a term of  
66 imprisonment for life;

67 b. For a felony of the first degree, by a term of  
68 imprisonment of 30 years;



69       c. For a felony of the second degree, by a term of  
70 imprisonment of 15 years; and

71       d. For a felony of the third degree, by a term of  
72 imprisonment of 5 years.

73       Section 4. For the purpose of incorporating the amendment  
74 made by this act to section 775.082, Florida Statutes, in  
75 references thereto, paragraph (a) of subsection (2), paragraph  
76 (g) of subsection (4), and subsections (8) and (10) of section  
77 775.261, Florida Statutes, are reenacted to read:

78       775.261 The Florida Career Offender Registration Act.—

79       (2) DEFINITIONS.—As used in this section, the term:

80       (a) "Career offender" means any person who is designated as  
81 a habitual violent felony offender, a violent career criminal,  
82 or a three-time violent felony offender under s. 775.084 or as a  
83 prison releasee reoffender under s. 775.082(9).

84       (4) REGISTRATION.—

85       (g) A career offender who indicates his or her intent to  
86 reside in a state or jurisdiction other than the State of  
87 Florida and later decides to remain in this state shall, within  
88 2 working days after the date upon which the career offender  
89 indicated he or she would leave this state, report in person to  
90 the sheriff or the department, whichever agency is the agency to  
91 which the career offender reported the intended change of  
92 residence, of his or her intent to remain in this state. If the  
93 sheriff is notified by the career offender that he or she  
94 intends to remain in this state, the sheriff shall promptly  
95 report this information to the department. A career offender who  
96 reports his or her intent to reside in a state or jurisdiction  
97 other than the State of Florida, but who remains in this state



98 without reporting to the sheriff or the department in the manner  
99 required by this paragraph, commits a felony of the second  
100 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
101 775.084.

102 (8) PENALTIES.—

103 (a) Except as otherwise specifically provided, a career  
104 offender who fails to register; who fails, after registration,  
105 to maintain, acquire, or renew a driver license or  
106 identification card; who fails to provide required location  
107 information or change-of-name information; or who otherwise  
108 fails, by act or omission, to comply with the requirements of  
109 this section, commits a felony of the third degree, punishable  
110 as provided in s. 775.082, s. 775.083, or s. 775.084.

111 (b) Any person who misuses public records information  
112 concerning a career offender, as defined in this section, or a  
113 career offender, as defined in s. 944.608 or s. 944.609, to  
114 secure a payment from such career offender; who knowingly  
115 distributes or publishes false information concerning such a  
116 career offender which the person misrepresents as being public  
117 records information; or who materially alters public records  
118 information with the intent to misrepresent the information,  
119 including documents, summaries of public records information  
120 provided by law enforcement agencies, or public records  
121 information displayed by law enforcement agencies on websites or  
122 provided through other means of communication, commits a  
123 misdemeanor of the first degree, punishable as provided in s.  
124 775.082 or s. 775.083.

125 (10) ASSISTING IN NONCOMPLIANCE.—It is a misdemeanor of the  
126 first degree, punishable as provided in s. 775.082 or s.



127 775.083, for a person who has reason to believe that a career  
128 offender is not complying, or has not complied, with the  
129 requirements of this section and who, with the intent to assist  
130 the career offender in eluding a law enforcement agency that is  
131 seeking to find the career offender to question the career  
132 offender about, or to arrest the career offender for, his or her  
133 noncompliance with the requirements of this section, to:

134 (a) Withhold information from, or fail to notify, the law  
135 enforcement agency about the career offender's noncompliance  
136 with the requirements of this section and, if known, the  
137 whereabouts of the career offender;

138 (b) Harbor or attempt to harbor, or assist another in  
139 harboring or attempting to harbor, the career offender;

140 (c) Conceal or attempt to conceal, or assist another in  
141 concealing or attempting to conceal, the career offender; or

142 (d) Provide information to the law enforcement agency  
143 regarding the career offender which the person knows to be  
144 false.

145 Section 5. For the purpose of incorporating the amendment  
146 made by this act to section 775.082, Florida Statutes, in a  
147 reference thereto, paragraph (bb) of subsection (2) of section  
148 900.05, Florida Statutes, is reenacted to read:

149 900.05 Criminal justice data collection.—

150 (2) DEFINITIONS.—As used in this section, the term:

151 (bb) "Prison releasee reoffender flag" means an indication  
152 that the defendant is a prison releasee reoffender as defined in  
153 s. 775.082 or any other statute.

154 Section 6. For the purpose of incorporating the amendment  
155 made by this act to section 775.082, Florida Statutes, in a



156 reference thereto, subsection (6) of section 903.011, Florida  
157 Statutes, is reenacted to read:

158 903.011 Pretrial release; general terms; statewide uniform  
159 bond schedule.—

160 (6) A person may not be released before his or her first  
161 appearance hearing or bail determination and a judge must  
162 determine the appropriate bail, if any, based on an  
163 individualized consideration of the criteria in s. 903.046(2),  
164 if the person meets any of the following criteria:

165 (a) The person was, at the time of arrest for any felony,  
166 on pretrial release, probation, or community control in this  
167 state or any other state;

168 (b) The person was, at the time of arrest, designated as a  
169 sexual offender or sexual predator in this state or any other  
170 state;

171 (c) The person was arrested for violating a protective  
172 injunction;

173 (d) The person was, at the time of arrest, on release from  
174 supervision under s. 947.1405, s. 947.146, s. 947.149, or s.  
175 944.4731;

176 (e) The person has, at any time before the current arrest,  
177 been sentenced pursuant to s. 775.082(9) or s. 775.084 as a  
178 prison releasee reoffender, habitual violent felony offender,  
179 three-time violent felony offender, or violent career criminal;

180 (f) The person has been arrested three or more times in the  
181 6 months immediately preceding his or her arrest for the current  
182 offense; or

183 (g) The person's current offense of arrest is for one or  
184 more of the following crimes:



185        1. A capital felony, life felony, felony of the first  
186 degree, or felony of the second degree;

187        2. A homicide under chapter 782; or any attempt,  
188 solicitation, or conspiracy to commit a homicide;

189        3. Assault in furtherance of a riot or an aggravated riot;  
190 felony battery; domestic battery by strangulation; domestic  
191 violence, as defined in s. 741.28; stalking; mob intimidation;  
192 assault or battery on a law enforcement officer; assault or  
193 battery on juvenile probation officer, or other staff of a  
194 detention center or commitment facility, or a staff member of a  
195 commitment facility, or health services personnel; assault or  
196 battery on a person 65 years of age or older; robbery; burglary;  
197 carjacking; or resisting an officer with violence;

198        4. Kidnapping, false imprisonment, human trafficking, or  
199 human smuggling;

200        5. Possession of a firearm or ammunition by a felon,  
201 violent career criminal, or person subject to an injunction  
202 against committing acts of domestic violence, stalking, or  
203 cyberstalking;

204        6. Sexual battery; indecent, lewd, or lascivious touching;  
205 exposure of sexual organs; incest; luring or enticing a child;  
206 or child pornography;

207        7. Abuse, neglect, or exploitation of an elderly person or  
208 disabled adult;

209        8. Child abuse or aggravated child abuse;

210        9. Arson; riot, aggravated riot, inciting a riot, or  
211 aggravated inciting a riot; or a burglary or theft during a  
212 riot;

213        10. Escape; tampering or retaliating against a witness,



214 victim, or informant; destruction of evidence; or tampering with  
215 a jury;

216 11. Any offense committed for the purpose of benefiting,  
217 promoting, or furthering the interests of a criminal gang;

218 12. Trafficking in a controlled substance, including  
219 conspiracy to engage in trafficking in a controlled substance;

220 13. Racketeering; or

221 14. Failure to appear at required court proceedings while  
222 on bail.

223 Section 7. For the purpose of incorporating the amendment  
224 made by this act to section 775.082, Florida Statutes, in a  
225 reference thereto, paragraph (c) of subsection (5) of section  
226 907.041, Florida Statutes, is reenacted to read:

227 907.041 Pretrial detention and release.—

228 (5) PRETRIAL DETENTION.—

229 (c) Upon motion by the state attorney, the court may order  
230 pretrial detention if it finds a substantial probability, based  
231 on a defendant's past and present patterns of behavior, the  
232 criteria in s. 903.046, and any other relevant facts, that any  
233 of the following circumstances exist:

234 1. The defendant has previously violated conditions of  
235 release and that no further conditions of release are reasonably  
236 likely to assure the defendant's appearance at subsequent  
237 proceedings;

238 2. The defendant, with the intent to obstruct the judicial  
239 process, has threatened, intimidated, or injured any victim,  
240 potential witness, juror, or judicial officer, or has attempted  
241 or conspired to do so, and that no condition of release will  
242 reasonably prevent the obstruction of the judicial process;



243       3. The defendant is charged with trafficking in controlled  
244 substances as defined by s. 893.135, that there is a substantial  
245 probability that the defendant has committed the offense, and  
246 that no conditions of release will reasonably assure the  
247 defendant's appearance at subsequent criminal proceedings;

248       4. The defendant is charged with DUI manslaughter, as  
249 defined by s. 316.193, and that there is a substantial  
250 probability that the defendant committed the crime and that the  
251 defendant poses a threat of harm to the community; conditions  
252 that would support a finding by the court pursuant to this  
253 subparagraph that the defendant poses a threat of harm to the  
254 community include, but are not limited to, any of the following:

255       a. The defendant has previously been convicted of any crime  
256 under s. 316.193, or of any crime in any other state or  
257 territory of the United States that is substantially similar to  
258 any crime under s. 316.193;

259       b. The defendant was driving with a suspended driver  
260 license when the charged crime was committed; or

261       c. The defendant has previously been found guilty of, or  
262 has had adjudication of guilt withheld for, driving while the  
263 defendant's driver license was suspended or revoked in violation  
264 of s. 322.34;

265       5. The defendant poses the threat of harm to the community.  
266 The court may so conclude, if it finds that the defendant is  
267 presently charged with a dangerous crime, that there is a  
268 substantial probability that the defendant committed such crime,  
269 that the factual circumstances of the crime indicate a disregard  
270 for the safety of the community, and that there are no  
271 conditions of release reasonably sufficient to protect the



272 community from the risk of physical harm to persons;

273 6. The defendant was on probation, parole, or other release  
274 pending completion of sentence or on pretrial release for a  
275 dangerous crime at the time the current offense was committed;

276 7. The defendant has violated one or more conditions of  
277 pretrial release or bond for the offense currently before the  
278 court and the violation, in the discretion of the court,  
279 supports a finding that no conditions of release can reasonably  
280 protect the community from risk of physical harm to persons or  
281 assure the presence of the accused at trial; or

282 8.a. The defendant has ever been sentenced pursuant to s.  
283 775.082(9) or s. 775.084 as a prison releasee reoffender,  
284 habitual violent felony offender, three-time violent felony  
285 offender, or violent career criminal, or the state attorney  
286 files a notice seeking that the defendant be sentenced pursuant  
287 to s. 775.082(9) or s. 775.084, as a prison releasee reoffender,  
288 habitual violent felony offender, three-time violent felony  
289 offender, or violent career criminal;

290 b. There is a substantial probability that the defendant  
291 committed the offense; and

292 c. There are no conditions of release that can reasonably  
293 protect the community from risk of physical harm or ensure the  
294 presence of the accused at trial.

295 Section 8. For the purpose of incorporating the amendment  
296 made by this act to section 775.082, Florida Statutes, in  
297 references thereto, subsections (1) and (8) of section 944.608,  
298 Florida Statutes, are reenacted to read:

299 944.608 Notification to Department of Law Enforcement of  
300 information on career offenders.—



301       (1) As used in this section, the term "career offender"  
302 means a person who is in the custody or control of, or under the  
303 supervision of, the department or is in the custody or control  
304 of, or under the supervision of, a contractor-operated  
305 correctional facility, and who is designated as a habitual  
306 violent felony offender, a violent career criminal, or a three-  
307 time violent felony offender under s. 775.084 or as a prison  
308 releasee reoffender under s. 775.082(9).

309       (8) The failure of a career offender to submit to the  
310 taking of a digitized photograph, or to otherwise comply with  
311 the requirements of this section, is a felony of the third  
312 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
313 775.084.

314       Section 9. For the purpose of incorporating the amendment  
315 made by this act to section 775.082, Florida Statutes, in a  
316 reference thereto, subsection (1) of section 944.609, Florida  
317 Statutes, is reenacted to read:

318       944.609 Career offenders; notification upon release.—

319       (1) As used in this section, the term "career offender"  
320 means a person who is in the custody or control of, or under the  
321 supervision of, the department or is in the custody or control  
322 of, or under the supervision of a contractor-operated  
323 correctional facility, who is designated as a habitual violent  
324 felony offender, a violent career criminal, or a three-time  
325 violent felony offender under s. 775.084 or as a prison releasee  
326 reoffender under s. 775.082(9).

327       Section 10. For the purpose of incorporating the amendment  
328 made by this act to section 775.082, Florida Statutes, in a  
329 reference thereto, paragraphs (a) and (b) of subsection (7) of



330 section 944.705, Florida Statutes, are reenacted to read:  
331 944.705 Release orientation program.—  
332 (7) (a) The department shall notify every inmate in the  
333 inmate's release documents:  
334 1. Of all outstanding terms of the inmate's sentence at the  
335 time of release to assist the inmate in determining his or her  
336 status with regard to the completion of all terms of sentence,  
337 as that term is defined in s. 98.0751. This subparagraph does  
338 not apply to inmates who are being released from the custody of  
339 the department to any type of supervision monitored by the  
340 department; and  
341 2. In not less than 18-point type, that the inmate may be  
342 sentenced pursuant to s. 775.082(9) if the inmate commits any  
343 felony offense described in s. 775.082(9) within 3 years after  
344 the inmate's release. This notice must be prefaced by the word  
345 "WARNING" in boldfaced type.  
346 (b) This section does not preclude the sentencing of a  
347 person pursuant to s. 775.082(9), and evidence that the  
348 department failed to provide this notice does not prohibit a  
349 person from being sentenced pursuant to s. 775.082(9). The state  
350 is not required to demonstrate that a person received any notice  
351 from the department in order for the court to impose a sentence  
352 pursuant to s. 775.082(9).  
353  
354 ===== T I T L E A M E N D M E N T =====  
355 And the title is amended as follows:  
356 Delete line 10  
357 and insert:  
358 in a reference thereto; amending s. 775.082, F.S.;



359        revising the definition of "prison releasee  
360        reoffender" to include a defendant who commits or  
361        attempts to commit felony battery that results in  
362        bodily injury; reenacting ss. 775.261(2)(a), (4)(g),  
363        (8), and (10), 900.05(2)(bb), 903.011(6), 907.041  
364        (5)(c), 944.608(1) and (8), 944.609(1), and  
365        944.705(7)(a) and (b), F.S., relating to the Florida  
366        Career Offender Registration Act, the definition of  
367        the term "prison release reoffender flag," pretrial  
368        release, pretrial detention, notification to the  
369        Department of Law Enforcement of information on career  
370        offenders, notification upon release of certain career  
371        offenders, and inmate release documents, respectively,  
372        to incorporate the amendment made to s. 775.082, F.S.,  
373        in references thereto; providing an effective date.