

By the Appropriations Committee on Criminal and Civil Justice;
the Committee on Criminal Justice; and Senators Calatayud and
Berman

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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 terms "electronic monitoring" and "military protective
5 order"; creating s. 741.2801, F.S.; defining the term
6 "conviction"; providing enhanced penalties for
7 committing a domestic violence offense if a person has
8 a prior conviction for domestic violence; providing
9 that sentencing and incentive gain-time eligibility
10 determinations are made without regard to a penalty
11 enhancement; amending s. 741.281, F.S.; authorizing,
12 and in certain circumstances requiring, a court to
13 order electronic monitoring in domestic violence
14 cases; amending s. 741.30, F.S.; revising the
15 information contained in a petition for injunction for
16 protection against domestic violence; revising the
17 factors a judge may consider in determining whether to
18 grant a petition for injunction against domestic
19 violence; requiring the Department of Law Enforcement
20 to enter injunctions against dating violence and
21 sexual violence into a statewide verification system;
22 amending s. 741.31, F.S.; authorizing, and in certain
23 circumstances requiring, a court to order electronic
24 monitoring for a respondent to an injunction for
25 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

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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 maximum payment 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. Present subsections (3) and (4) of section

45 741.28, Florida Statutes, are redesignated as subsections (4)

46 and (5), respectively, and a new subsection (3) and subsection

47 (6) are added to that section, to read:

48 741.28 Domestic violence; definitions.—As used in ss.

49 741.28-741.31:

50 (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

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

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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 if
91 it were a felony of the third degree. For purposes of sentencing
92 under chapter 921, such offense is ranked in level 1 of the
93 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.

100

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 to
106 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

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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

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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

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

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

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

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

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

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

166 Race.....

167 Sex.....

168 Date of birth.....

169 Height.....

170 Weight.....

171 Eye color.....

172 Hair color.....

173 Distinguishing marks or scars.....

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

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

182 (g) The following describes any other cause of action
 183 currently pending between the petitioner and respondent:.....
 184

185 The petitioner should also describe any previous or pending
 186 attempts by the petitioner to obtain an injunction for
 187 protection against domestic violence in this or any other
 188 circuit, and the results of that attempt:.....
 189
 190 Case numbers should be included if available.

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

199
 200

201 ...committed or threatened to commit domestic violence
 202 defined in s. 741.28, Florida Statutes, as any assault,
 203 aggravated assault, battery, aggravated battery, sexual assault,

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

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

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

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

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

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

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

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

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

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

232 ...engaged in a pattern of abusive, threatening,

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233 intimidating, or controlling behavior composed of a series of
234 acts over a period of time, however short.

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

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

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

242

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

245Petitioner is unable to obtain safe alternative housing
246 because:

247

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

251

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

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

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

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

260Awarding to the petitioner the temporary exclusive use
261 and possession of the dwelling that the parties share or

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262 excluding the respondent from the residence of the petitioner.

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

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

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

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

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

282 (6)

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

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

290 2. Whether the respondent has attempted to harm the

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291 petitioner or family members or individuals closely associated
292 with the petitioner.

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

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

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

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

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

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

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

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

319 11. Whether the respondent engaged in any other behavior or

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320 conduct that leads the petitioner to have reasonable cause to
321 believe that he or she is in imminent danger of becoming a
322 victim of domestic violence.

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

326 (8)

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

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

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

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

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

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349 substantial evidence, stating why a batterers' intervention
350 program would be inappropriate.

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

357 (c) Must order the respondent to electronic monitoring if
358 the court finds that either of the circumstances in s.
359 741.281(2)(b) exist.

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

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

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

373 (3) (a) Regardless of whether there is a criminal
374 prosecution under this section, the court may order the
375 respondent to electronic monitoring supervision for the duration
376 of the injunction for protection. If electronic monitoring is
377 ordered, the court must establish exclusion zones and include

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378 safety planning and informed consent for the petitioner. The
379 respondent is responsible for paying for the electronic
380 monitoring services as provided in s. 948.09(2).

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

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

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

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

394 Section 8. Paragraph (b) of subsection (1) of section
395 921.0024, Florida Statutes, is amended to read:

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

398 (1)

399 (b) WORKSHEET KEY:

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.

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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 on
424 the probationer or offender's failure to pay costs or fines or
425 make restitution payments.

426 b. Twenty-four (24) community sanction violation points are
427 assessed for the violation and for each successive violation of
428 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

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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

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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

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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

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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 ~~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

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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 violence
564 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.