

CHAPTER 2026-86

Committee Substitute for Committee Substitute for House Bill No. 277

An act relating to domestic violence and protective injunctions; amending s. 741.28, F.S.; defining the term “military protective order”; creating s. 741.2801, F.S.; defining the term “conviction”; reclassifying penalties for committing a domestic violence offense if a person has a prior conviction for domestic violence; providing that sentencing and incentive gain-time eligibility determinations are made without regard to a penalty enhancement; providing an exception; creating s. 741.2905, F.S.; establishing an electronic monitoring pilot program in a specified county; authorizing, and in certain circumstances requiring, a court to order electronic monitoring supervision if certain conditions are met; requiring the sheriff, in consultation with certain persons, to design and implement the pilot program; providing requirements for the pilot program; requiring the sheriff to complete an evaluation and provide specified reports to the Legislature; providing requirements for such reports; requiring an order for electronic monitoring supervision to terminate on a specified date; providing for repeal of the pilot program; creating s. 741.2906, F.S.; defining the term “department”; establishing an electronic monitoring pilot program in a specified judicial circuit; authorizing, and in certain circumstances requiring, a court to order electronic monitoring supervision if certain conditions are met; providing requirements for the pilot program; requiring the Department of Corrections to complete an evaluation and provide specified reports to the Legislature; providing requirements for such reports; requiring an order for electronic monitoring supervision to terminate on a specified date; providing for repeal of the pilot program; amending s. 741.30, F.S.; revising the information contained in a petition for injunction for protection against domestic violence; revising the factors a judge may consider in determining whether to grant a petition for injunction against domestic violence; requiring the Department of Law Enforcement to enter injunctions against dating violence and sexual violence into a statewide verification system; amending s. 741.31, F.S.; providing that a person who has a prior conviction 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; 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, regardless of whether adjudication is withheld or a plea of nolo contendere is entered.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (a) The number of persons placed on electronic monitoring supervision.
 - (b) The number of violations of electronic monitoring supervision, including the reason for each violation.
 - (c) The cost of providing electronic monitoring supervision and how much money the sheriff received to pay for such supervision.
 - (d) Recommendations on how to improve the efficacy of the pilot program and any difficulties with implementing the pilot program.
 - (e) Any other relevant information.
- (5) An order requiring electronic monitoring supervision must terminate by June 30, 2028.
- (6) This section is repealed July 1, 2028.

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

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

- (1) As used in this section, the term "department" means the Department of Corrections.
- (2) An electronic monitoring pilot program is established in the Sixth Judicial Circuit beginning on July 1, 2026, and ending on June 30, 2028.
- (3) For an offense committed on or after July 1, 2026, if a person who is 18 years of age or older is found guilty of, has adjudication withheld on, or pleads nolo contendere to a felony crime of domestic violence as defined in s. 741.28, a felony violation of an injunction for protection against domestic violence under s. 741.31, or a felony violation of an injunction for protection against sexual violence or dating violence under s. 784.047, and a court enters a no contact order with the victim as a condition of the person's probation, the court in the judicial circuit:

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

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

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

(a) A person designated by the department must meet with any person ordered to electronic monitoring supervision under this section, and he or she must explain the conditions of electronic monitoring supervision, including identifying prohibited locations, and the consequences for non-compliance with such conditions.

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

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

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

(5) The department must complete an evaluation of the pilot program's effectiveness and provide to the President of the Senate and the Speaker of the House of Representatives an initial report by March 1, 2027, a subsequent report by January 1, 2028, and a final report by September 1, 2028. Each report must include all of the following information:

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

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

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

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

(e) Any other relevant information.

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

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

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

741.30 Domestic violence; injunction; powers and duties of court and clerk; petition; notice and hearing; temporary injunction; issuance of

injunction; statewide verification system; enforcement; public records exemption.—

(3)

(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:

(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)...

.....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.

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

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

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

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

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

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

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

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

(8)

(b) A Domestic, Dating, Sexual, and Repeat Violence Injunction State-wide 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. 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 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 such injunction for verification purposes.

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

960.198 Relocation assistance for victims of domestic violence.—

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

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

Approved by the Governor May 21, 2026.

Filed in Office Secretary of State May 21, 2026.