

CS/HB 277 – Domestic Violence and Protective Injunctions

Multiple statutes are amended and created with new language. First, it amends s. 741.28, F.S., defining “electronic monitoring” and “military protective order.” It then creates s. 741.2801, F.S., defining “conviction” and adding potential penalty enhancements for domestic violence offenses if an offender has a prior domestic violence offense as follows:

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- 2nd degree misdemeanor increased to 1st degree misdemeanor

- 1st degree misdemeanor increased to 3rd degree felony

- 3rd degree felony increased to 2nd degree felony

- 2nd degree felony increased to 1st degree felony

- 1st degree felony increased to life felony

It then amends s. 741.281, F.S., allowing the court to include electronic monitoring as a condition of a domestic violence offender’s probation, which could increase the number of technical violators potentially sentenced to prison. It also creates s. 741.282, F.S., developing a deferred sentencing program for misdemeanor domestic violence offenses committed by first time offenders.

Furthermore, it amends s. 741.30, F.S., a petition for injunction for protection against domestic violence, expanding the language to include how a family pet can be involved under domestic violence, including threats regarding the pet. It also includes the existence of a military protective order in the past or present. S. 741.31, F.S. is also amended, adding that the court may order electronic monitoring. Finally, s. 784.047, F.S. is amended to include electronic monitoring language as well.

Per DOC, in FY 24-25, there were 9 new commitments to prison for a violation of an injunction against domestic violence and two new commitments for a violation of an injunction against dating violence, repeat violence, or sexual violence. Per DOC, in FY 24-25, there were 4,416 technical violators sentenced to prison. It is not known how many additional offenders there would be with the inclusion of electronic monitoring in the new language. Finally, data is not available for the number of domestic violence offenders committed to prison.

CONFERENCE ADOPTED ESTIMATE: Positive Indeterminate

Requested by: House