

## CS/HB 623 – Felony Battery

This bill amends s. 784.03, F.S., adding the following language to the Level 1, 3<sup>rd</sup> degree felony (new language in bold): “a person who has one prior conviction for battery, aggravated battery, felony battery, **or resisting an officer with violence under s. 843.01, F.S.** and who commits any subsequent battery...” This would impact those offenders currently charged with 1<sup>st</sup> degree misdemeanors for battery who had a prior conviction for resisting an officer with violence.

Per FDLE, in FY 24-25, there were 1,138 arrests for the 1<sup>st</sup> degree misdemeanor under s. 784.03, F.S., with 405 guilty/convicted charges and 70 adjudication withheld charges for those with a prior conviction or adjudication withheld under s. 843.01, F.S. Per DOC, the incarceration rate for this felony was between 11% and 15% over the last three fiscal years. This is higher than the incarceration rate for Level 1, 3<sup>rd</sup> degree felonies in general (9.7% in FY 24-25). However, even with the lowest incarceration rate the number of offenders that would be incarcerated would be above the threshold for significance (25 offenders in a fiscal year).

**CONFERENCE ADOPTED ESTIMATE: Positive Significant**

**Requested by: House**