

By the Committee on Criminal Justice; and Senator Crist

591-04820-08

2008654c1

1 A bill to be entitled

2 An act relating to offenses against officers; amending s.
3 776.051, F.S.; providing that a person is not justified in
4 using force to resist an arrest by a law enforcement
5 officer, or to resist a law enforcement officer engaged in
6 executing a legal duty, if the officer acts in good faith
7 and is known or appears to be a law enforcement officer;
8 providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Section 776.051, Florida Statutes, is amended to
13 read:

14 776.051 Use of force in resisting arrest or making an
15 arrest or in the execution of a legal duty; prohibition.--

16 (1) A person is not justified in the use of force to resist
17 an arrest by a law enforcement officer, or to resist a law
18 enforcement officer who is engaged in the execution of a legal
19 duty, if the law enforcement officer was acting in good faith and
20 he or she ~~who~~ is known, or reasonably appears, to be a law
21 enforcement officer.

22 (2) A law enforcement officer, or any person whom the
23 officer has summoned or directed to assist him or her, is not
24 justified in the use of force if the arrest or execution of a
25 legal duty is unlawful and known by him or her to be unlawful.

26 Section 2. This act shall take effect July 1, 2008.