

1 A bill to be entitled
 2 An act relating to entry by law enforcement officers;
 3 amending s. 901.19, F.S.; deleting provisions authorizing
 4 an officer to use all necessary and reasonable force to
 5 enter a building or property where a person to be arrested
 6 is or is reasonably believed to be after the officer has
 7 announced his or her authority and purpose; providing an
 8 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 901.19, Florida Statutes, is amended to
 13 read:

14 901.19 Gambling equipment; seizure and destruction ~~Right~~
 15 ~~of officer to break into building.-~~

16 ~~(1) If a peace officer fails to gain admittance after she~~
 17 ~~or he has announced her or his authority and purpose in order to~~
 18 ~~make an arrest either by a warrant or when authorized to make an~~
 19 ~~arrest for a felony without a warrant, the officer may use all~~
 20 ~~necessary and reasonable force to enter any building or property~~
 21 ~~where the person to be arrested is or is reasonably believed to~~
 22 ~~be.~~

23 ~~(2)~~ When any of the implements, devices, or apparatus
 24 commonly used for gambling purposes are found in any house,
 25 room, booth, or other place used for the purpose of gambling, a
 26 peace officer shall seize and hold them subject to the
 27 discretion of the court, to be used as evidence, and afterwards
 28 they shall be publicly destroyed in the presence of witnesses

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29 | under order of the court to that effect.

30 | Section 2. This act shall take effect July 1, 2011.