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LEGISLATIVE ACTION

Senate

.

House

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Floor: 2/AD/2R

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04/13/2017 04:25 PM

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Senator Simmons moved the following:

Senate Amendment (with title amendment)

Between lines 22 and 23

insert:

Section 2. For the purpose of incorporating the amendment made by this act to section 776.013, Florida Statutes, in a reference thereto, subsection (1) of section 776.032, Florida Statutes, is reenacted to read:

776.032 Immunity from criminal prosecution and civil action for justifiable use or threatened use of force.—

(1) A person who uses or threatens to use force as



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12 permitted in s. 776.012, s. 776.013, or s. 776.031 is justified
13 in such conduct and is immune from criminal prosecution and
14 civil action for the use or threatened use of such force by the
15 person, personal representative, or heirs of the person against
16 whom the force was used or threatened, unless the person against
17 whom force was used or threatened is a law enforcement officer,
18 as defined in s. 943.10(14), who was acting in the performance
19 of his or her official duties and the officer identified himself
20 or herself in accordance with any applicable law or the person
21 using or threatening to use force knew or reasonably should have
22 known that the person was a law enforcement officer. As used in
23 this subsection, the term "criminal prosecution" includes
24 arresting, detaining in custody, and charging or prosecuting the
25 defendant.

26
27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 Delete line 6

30 and insert:

31 providing applicability; reenacting s. 776.032(1),
32 F.S., relating to immunity from criminal prosecution
33 and civil action for justifiable use or threatened use
34 of force, to incorporate the amendment made to s.
35 776.013, F.S., in references thereto; providing an
36 effective date.