

By Senator Simon

3-01159-23

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1 A bill to be entitled
2 An act relating to citizen's arrest; creating s.
3 901.001, F.S.; abrogating the common-law remedy of
4 citizen's arrest; prohibiting a private person who is
5 not a law enforcement officer from arresting another
6 person; providing exceptions; providing an effective
7 date.

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

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11 Section 1. Section 901.001, Florida Statutes, is created to
12 read:

13 901.001 Citizen's arrest.—

14 (1) It is the intent of the Legislature to abrogate any
15 common-law remedy of citizen's arrest. A private person who is
16 not a law enforcement officer as defined in s. 943.10(1) may not
17 arrest another person for a violation of the laws of this state.

18 (2) This section does not apply to:

19 (a) A person who is a law enforcement officer as defined in
20 s. 943.10(1) who is acting outside of his or her jurisdiction.
21 Such an officer may arrest a person who commits a felony in his
22 or her presence or arrest a person when a felony has been
23 committed and when the arresting officer has probable cause to
24 believe, and does believe, that the person arrested committed
25 the felony.

26 (b) A person who detains, without use of deadly force, a
27 person who has illegally entered his or her dwelling, vehicle,
28 or vessel until the arrival of a law enforcement officer.

29 Section 2. This act shall take effect July 1, 2023.