

By Senator Simon

3-01680-24

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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           and prohibiting, citizen's arrests; providing  
 5           exceptions; providing an effective date.

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

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 9           Section 1. Section 901.001, Florida Statutes, is created to  
 10 read:

11           901.001 Citizen's arrest.—

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

17           (2) This section does not apply to:

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

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

28           Section 2. This act shall take effect July 1, 2024.