

FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

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BILL #: [CS/HB 1371](#)

TITLE: Law Enforcement Officers and Other Personnel

SPONSOR(S): Nix

COMPANION BILL: [SB 1444](#) (Collins)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Criminal Justice](#)

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SUMMARY

Effect of the Bill:

CS/HB 1371 makes several changes related to law enforcement officers and other personnel, including:

- Prohibiting use of vehicle kill switches, except for specified use by a law enforcement officer or vehicle owner.
- Specifying that the Florida Highway Patrol must retain funds received from patrol officers for repayment of off-duty uses of official vehicles.
- Requiring a mandatory minimum term of imprisonment of 25 years if a person is convicted of committing attempted first degree murder of specified justice system personnel.
- Encouraging each State Attorney to adopt a pro-prosecution policy if a person is arrested for making a false report of a crime.
- Creating the Critical Infrastructure Mapping Grant Program within the Florida Department of Law Enforcement, subject to appropriation, and providing eligibility for receiving a grant under the Program.
- Prohibiting a law enforcement agency from reviewing or monitoring a law enforcement officer's body camera with artificial intelligence for disciplinary purposes.
- Requiring first responders and other specified employees who were exposed to an arrestee's bodily fluids or potential bloodborne pathogens to provide a notice of such exposure to the detention facility where the arrestee was booked, and requiring the detention facility to conduct an immediate blood test on the inmate and report the results of such test to specified persons.

Fiscal or Economic Impact:

The bill may have an indeterminate fiscal impact on state and local governments.

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ANALYSIS

EFFECT OF THE BILL:

Vehicle Kill Switches

CS/HB 1371 prohibits a person from using any device that can be remotely activated to disable a vehicle's engine or to prevent a vehicle's engine from starting unless he or she is:

- The owner of the vehicle; or
- A law enforcement officer acting in the course and scope of his or her duties to prevent the commission of a felony.

A violation of the prohibition is punishable as a second degree misdemeanor.¹ (Section [1](#))

¹ A second degree misdemeanor is punishable by up to 60 days in jail and a \$500 fine. [Ss. 775.082](#) or [775.083, F.S.](#)

Florida Highway Patrol – Mileage Repayment

The bill requires the Florida Highway Patrol to retain funds received from patrol officers for the repayment of mileage for off-duty uses of official vehicles. The bill prohibits such funds from being deposited into the General Revenue Fund. (Section [2](#))

Mandatory Minimum Sentences for Attempted Murder of Specified Justice System Personnel

The bill requires a court to impose a mandatory minimum term of imprisonment of 25 years if a person is convicted of committing [attempted first degree murder](#) of the following persons if the offense arises out of, or in the scope of, his or her official duties, including a:

- Law enforcement officer or correctional officer;²
- State Attorney or assistant state attorney;
- Public Defender;
- Regional Counsel;
- Court-appointed counsel;
- Defense attorney in a criminal proceeding; or
- Judge or justice. (Section [3](#))

False Reports of Crimes

The bill provides a Legislative finding that a violation of [s. 817.49, F.S.](#), for making a [false report of a crime](#) is a threat to public safety and a threat to the safety of law enforcement officers and other first responders. The bill specifies that the Legislature encourages each State Attorney to adopt a pro-prosecution policy if a person is arrested for making a false report of a crime. (Section [4](#))

Critical Infrastructure Mapping Grant Program

The bill creates the Critical Infrastructure Mapping Grant Program (Grant Program), subject to Legislative appropriation, within the Florida Department of Law Enforcement (FDLE) to support the ongoing assessment of the state's vulnerability to, and ability to recover from, acts of terrorism. Funding under the Grant Program is available to the state, or any law enforcement agency, county, municipality or other political subdivision, or any agent of such governmental entities, that has constitutional or statutory authority to employ or appoint law enforcement officers. Funds received from the Grant Program may be used to map [critical infrastructure](#), public gathering places, places of worship, and any other location for which a map would be deemed of high value for facilitating an emergency response.

The bill specifies that each map created using funds received from the Grant Program must be created in an electronic or digital format and must be provided to all local, state, and federal responding agencies upon request, and must:

- Be compatible with and integrate into FDLE's statewide database and be compatible with software platforms used by local, state, and federal public safety agencies that provide emergency services without requiring such agencies to purchase additional software or requiring a fee to access the map.
- Be in printable format and, if requested, a digital file format that can be integrated into interactive mobile platforms.
- Be verified for accuracy, which must include a walk-through of the building or grounds depicted in the map.
- Be oriented to true north.
- Be overlaid on current aerial imagery.
- Contain site-specific labeling that matches the structure of the building and the grounds surrounding the building.
- Be overlaid with gridded x and y coordinates.

The bill authorizes FDLE to adopt rules to implement the Grant Program. (Section [5](#))

² [Section 782.065, F.S.](#), requires a court, notwithstanding [s. 775.0823, F.S.](#), to impose a mandatory sentence of life imprisonment for a person who is convicted of committing first, second or third degree murder; first or second degree attempted murder; or attempted felony murder against a law enforcement officer, correctional officer, or correctional probation officer engaged in the lawful performance of a legal duty. As such, the minimum mandatory term of imprisonment provided in the bill would not apply to a conviction for the attempted murder of a law enforcement officer, correctional officer, or correctional probation officer that was committed in the course of his or her official duties since a defendant who is convicted of committing such an offense is already required to be sentenced to life imprisonment.

Body Cameras – Law Enforcement Officers

The bill prohibits a law enforcement agency from using artificial intelligence to review or monitor audio or video data recorded by a body camera for purposes of initiating an investigation into a law enforcement officer's conduct or taking any disciplinary action against a law enforcement officer. (Section [6](#))

Blood Tests of Inmates

The bill requires any first responder³ or any employee or officer of the sheriff or chief correctional officer of a county or municipal detention facility (detention facility) who, in the performance of his or her official duties, is exposed to a bodily fluid or a potential bloodborne pathogen by a person who has been arrested to provide a notice of exposure as soon as possible after the exposure, but no later than 24 hours after an exposure. The bill specifies that if the first responder, employee, or officer is incapacitated and cannot provide a notice of exposure, his or her employing agency must provide such notice.

The bill requires a detention facility, upon receipt of a notice of exposure, to immediately test the inmate who was the cause of the exposure unless such a test has already been performed. The bill requires each detention facility to update its written procedures regarding the blood testing of inmates for infectious diseases to:

- Specify the conditions that require the immediate testing of an inmate, including upon receipt of a notice of exposure.
- Require the test results from an inmate's blood test to be provided to:
 - The sheriff or chief correctional officer of the detention facility.
 - Employees or officers of the sheriff or chief correctional officer who are responsible for the care and custody of the affected inmate.
 - Any employees, officers, or first responders who provided a notice of exposure to the detention facility. (Section [7](#))

The effective date of the bill is July 1, 2025. (Section [8](#))

RULEMAKING:

Current law authorizes the Florida Department of Law Enforcement (FDLE) to adopt rules to implement provisions of law that confer power or duties upon it. The bill specifies that FDLE may adopt rules to administer the Critical Infrastructure Mapping Grant Program.

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have an indeterminate negative fiscal impact on state government by requiring a court to impose a minimum mandatory sentence of 25 years if a person is convicted of committing attempted first degree murder of specified justice system personnel. The bill may have an indeterminate positive fiscal impact on the Florida Highway Patrol, which the bill authorizes to retain payments from patrol officers for off-duty vehicle use of official vehicles that are currently deposited into the General Revenue Fund, and may have an indeterminate positive fiscal impact on a state government entity that is awarded grant funds under the Critical Infrastructure Mapping Grant Program created by the bill.

³ "First responder" means a law enforcement officer as defined in [s. 943.10, F.S.](#), a firefighter as defined in [s. 633.102, F.S.](#), or an emergency medical technician or paramedic as defined in [s. 401.23, F.S.](#), employed by state or local government. A volunteer law enforcement officer, firefighter, or emergency medical technician or paramedic engaged by the state or a local government is also considered a first responder of the state or local government. [S. 112.1815\(1\), F.S.](#)

LOCAL GOVERNMENT:

The bill may have an indeterminate negative fiscal impact on local governments by creating a new misdemeanor offense prohibiting the use of vehicle kill switches and requiring immediate blood testing of inmates under specified circumstances. The bill may have an indeterminate positive fiscal impact on a local government that is awarded grant funds under the Critical Infrastructure Mapping Grant Program created by the bill.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Vehicle Kill Switches](#)

A vehicle kill switch is a device that can be attached to a vehicle that either prevents a vehicle from starting or disables a vehicle's engine after it has started.⁴ Generally, kill switches interrupt a vehicle's electrical or fuel system to prevent the vehicle from operating.⁵ Vehicle owners typically install such kill switches to prevent vehicle theft or to ensure people with access to the keys to the vehicle do not operate the vehicle without the owner's permission (i.e. teenagers, employees, or elderly relatives).⁶

[Florida Highway Patrol – Mileage Repayment](#)

Florida Highway Patrol officers are authorized to drive their official vehicles off-duty for specified purposes.⁷ If a patrol officer uses his or her official vehicle for an off-duty purpose, he or she must reimburse the Division of Highway Safety and Motor Vehicles (DHSMV) for gas, maintenance, and repairs at a reimbursement rate specified by DHSMV.⁸ The funds received for such reimbursement payments are currently deposited into the General Revenue Fund.

Mandatory Minimum Sentences for Attempted Murder of Specified Justice System Personnel

[Attempted First Degree Murder](#)

First degree murder is the unlawful killing of a human being when perpetrated from a premeditated design to effect the death of the person killed or any human being.⁹ First degree murder is a capital felony.¹⁰

To convict a person for committing attempted first degree murder, the State Attorney must prove that a defendant:

- Intended to commit first degree murder.
- Committed an overt act toward the commission of first degree murder that went beyond mere preparation.
- Failed to complete the first degree murder.¹¹

A conviction for attempted first degree murder is punishable as a first degree felony.¹²

[False Report of a Crime](#)

⁴ WREG, *Can a kill switch protect your car from theft? We take a look*, <https://wreg.com/news/investigations/can-a-kill-switch-protect-your-car-from-theft-we-take-a-look/> (last visited Mar. 24, 2025). Western Financial Group, *Can a Kill Switch Prevent Car Theft?*, <https://westernfinancialgroup.ca/Can-A-Kill-Switch-Prevent-Car-Theft> (last visited Mar. 24, 2025).

⁵ *Id.*

⁶ *Id.*

⁷ Florida Highway Patrol Policy Manual, *Policy Number 5.08 – Secondary Employment*, <https://www.flhsmv.gov/pdf/fhp/policies/0508.pdf> (last visited Mar. 24, 2025).

⁸ *Id.*

⁹ [S. 782.04\(1\)\(a\), F.S.](#) First degree murder also includes the unlawful killing of a human being:

- When committed by a person engaged in the perpetration of, or in the attempt to perpetrate specified crimes; or
- Which resulted from the unlawful distribution of specified controlled substances. [S. 782.04\(1\), F.S.](#)

¹⁰ A capital felony is a crime that is punishable by death or, if the death penalty is not imposed, mandatory life imprisonment. [S. 775.082\(1\)\(a\), F.S.](#)

¹¹ [Ss. 782.04\(1\) and 777.04, F.S.](#)

¹² [S. 777.04\(4\)\(b\), F.S.](#) A first degree felony is punishable by up to 30 years imprisonment and a \$10,000 fine. [Ss. 775.082, 775.083, or 775.084, F.S.](#)

[Section 817.49, F.S.](#), prohibits a person from willfully imparting, conveying, or causing to be imparted or conveyed to any law enforcement officer or employee of a public safety agency, false information or reports concerning the commission of any crime when the person knows the report is false and that no such crime has been committed. A violation is punishable as a first degree misdemeanor.¹³ If person willfully makes a false report of a crime and the response by a public safety agency results in:

- Great bodily harm, permanent disfigurement, or permanent disability to any person as a proximate result of lawful conduct arising out of a response, the person making such a false report commits a third degree felony.¹⁴
- Death to any person as a proximate result of lawful conduct arising out of a response, the person making such a false report commits a second degree felony.¹⁵

A court must order a person who is convicted of making a false report of a crime to pay restitution, which must include full payment for any cost incurred by a responding public safety agency.¹⁶

Critical Infrastructure

[Section 812.141, F.S.](#), prohibits a person from knowingly and intentionally improperly tampering with critical infrastructure, trespassing on critical infrastructure, and committing offenses relating to computers and computer networks that are used by critical infrastructure entities. “Critical infrastructure” means any of the following:

- Any linear asset;¹⁷ or
- Any of the following for which the owner or operator thereof has employed measures designed to exclude unauthorized persons, including, but not limited to, fences, barriers, guard posts, or signs prohibiting trespass:
 - An electric power generation, transmission, or distribution facility, or a substation, a switching station, or an electrical control center.
 - A chemical or rubber manufacturing or storage facility.
 - A mining facility.
 - A natural gas or compressed gas compressor station, or storage facility.
 - A gas processing plant, including a plant used in the processing, treatment, or fractionation of natural gas.
 - A liquid natural gas or propane gas terminal or storage facility with a capacity of 4,000 gallons or more.
 - A wireless or wired communications facility, including the tower, antennae, support structures, and all associated ground-based equipment.
 - A water intake structure, water treatment facility, wastewater treatment plant, pump station, or lift station.
 - A seaport listed in [s. 311.09, F.S.](#)¹⁸
 - A railroad switching yard, trucking terminal, or other freight transportation facility.
 - An airport as defined in [s. 330.27, F.S.](#)
 - A spaceport territory as defined in [s. 331.303, F.S.](#)
 - A transmission facility used by a federally licensed radio or television station.
 - A military base or facility or a civilian defense industrial base conducting research and development of military weapons systems, subsystems, components, or parts.
 - A dam as defined in [s. 373.403, F.S.](#), or other water control structures such as locks, floodgates, or dikes, that are designed to maintain or control the level of navigable waterways.

Body Cameras – Law Enforcement Officers

¹³ [S. 817.49\(1\), F.S.](#)

¹⁴ A third degree felony is punishable by up to 5 years imprisonment and a \$5,000 fine. [Ss. 775.082, 775.083, or 775.084, F.S.](#)

¹⁵ A second degree felony is punishable by up to 15 years imprisonment and a \$10,000 fine. [Ss. 775.082, 775.083, or 775.084, F.S.](#)

¹⁶ [S. 817.49\(3\), F.S.](#)

¹⁷ “Linear asset” means any electric distribution or transmission asset, oil or gas distribution or transmission pipeline, communication wirelines, or railway, and any attachments thereto. [Section 812.141\(1\)\(c\), F.S.](#)

¹⁸ The seaports listed in [s. 311.09\(1\), F.S.](#), include the ports of Jacksonville, Port Canaveral, Port Citrus, Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee, St. Petersburg, Putnam County, Tampa, Port St. Joe, Panama City, Pensacola, Key West, and Fernandina.

[Section 943.1718, F.S.](#), requires a law enforcement agency that permits its law enforcement officers to wear body cameras¹⁹ to establish policies and procedures for addressing the proper use, maintenance, and storage of body cameras and the data recorded by body cameras and specifies that such policies must include:

- General guidelines for the proper use, maintenance, and storage of body cameras.
- Any limitations on which law enforcement officers are permitted to wear body cameras.
- Any limitations on law-enforcement-related encounters and activities in which law enforcement officers are permitted to wear body cameras.
- A provision permitting a law enforcement officer using a body camera to review the recorded footage from the body camera, upon his or her own initiative or request, before writing a report or providing a statement regarding any event arising within the scope of his or her official duties. Any such provision may not apply to an officer's inherent duty to immediately disclose information necessary to secure an active crime scene or to identify suspects or witnesses.
- General guidelines for the proper storage, retention, and release of audio and video data recorded by body cameras.

A law enforcement agency that permits its law enforcement officers to wear body cameras must also:

- Ensure that all personnel who wear, use, maintain, or store body cameras are trained in the law enforcement agency's policies and procedures concerning them.
- Ensure that all personnel who use, maintain, store, or release audio or video data recorded by body cameras are trained in the law enforcement agency's policies and procedures.
- Retain audio and video data recorded by body cameras in accordance with the requirements of [s. 119.021, F.S.](#), except as otherwise provided by law.
- Perform a periodic review of actual agency body camera practices to ensure conformity with the agency's policies and procedures.

Blood Test of Inmates in a Detention Facility

[Section 951.27, F.S.](#), requires each county detention facility and each municipal detention facility to develop written procedures with the facility medical provider to establish the conditions under which an inmate will be tested for infectious diseases by a blood test. The results for such a blood test are generally confidential and exempt from disclosure, but may be disclosed to the sheriff or chief correctional officer and employees or officers of the sheriff or chief correctional officer who are responsible for the care and custody of the inmate.²⁰ The results must also be provided to a victim if the inmate was arrested for committing specified offenses.²¹ The blood test results must be made part of an inmate's permanent medical file and must be transferred to any other correctional facility to which the inmate is transferred.²²

¹⁹ "Body camera" means a portable electronic recording device that is worn on a law enforcement officer's person that records audio and video data of the officer's law-enforcement-related encounters and activities. [S. 943.1718\(1\)\(a\), F.S.](#)

²⁰ [Ss. 951.27\(1\) and \(2\), F.S.](#)

²¹ [S. 951.27\(2\), F.S.](#)

²² [S. 951.27\(3\), F.S.](#)

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Criminal Justice Subcommittee	18 Y, 0 N, As CS	3/26/2025	Hall	Padgett

THE CHANGES ADOPTED BY THE COMMITTEE:

- Narrowed the prohibition against using artificial intelligence to review or enhance video or audio from a law enforcement officer's body camera to apply only in circumstances relating to officer discipline.
- Encouraged state attorneys to adopt a pro-prosecution policy if a person is arrested for making a false report of a crime.
- Removed provisions that:
 - Required a court to sentence a defendant who is convicted of manslaughter of a law enforcement officer, correctional officer, or correctional probation officer to life imprisonment.
 - Exempted correctional probation officers from the licensing and penal provisions of ch. 790, F.S., relating to firearms.
 - Authorized judges, state attorneys, and assistant state attorneys to carry concealed firearms during off-duty hours under specified circumstances.
 - Increased the penalties for a person convicted of making a false report of a crime.
 - Required state attorneys to file charges if there was probable cause that a person made a false report of a crime.
 - Authorized a law enforcement officer to retain his or her certification as a law enforcement officer even if he or she is not employed by a law enforcement agency.
- Made technical changes to clarify provisions of the bill and to conform with existing statutes.

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.
