

FLORIDA HOUSE OF REPRESENTATIVES

FINAL BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

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

TITLE: Law Enforcement Officers and Other Personnel

SPONSOR(S): Nix and Alvarez, D.

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

LINKED BILLS: None

RELATED BILLS: None

FINAL HOUSE FLOOR ACTION: 111 Y's 0 N's

GOVERNOR'S ACTION: Pending

SUMMARY

Effect of the Bill:

The bill makes several changes related to law enforcement officers and other personnel, including:

- Authorizing a first responder who has a physical disability resulting from an amputation to continue to serve as a first responder if he or she meets specified requirements without an accommodation.
- Creating the Florida Medal of Valor and the Florida Blue/Red Heart Medal.
- Prohibiting the use of vehicle kill switches, except in specified circumstances.
- 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 a pro-prosecution policy if a person is arrested for making a false report of a crime.
- Prohibiting a person from depriving specified officers of digital recording devices or restraints and prohibiting a person from rendering such officers' weapons, radios, digital recording devices, or restraints useless.
- Increasing the time frame that a search warrant issued for a computer, computer system, or electronic device that is in the possession of a law enforcement agency must be returned to the court from 10 days to 45 days.
- Revising reporting and review requirements in missing persons cases.
- Creating the Critical Infrastructure Mapping Grant Program.
- Revising provisions related to the blood testing of arrestees and specifying procedures for reporting the results of such blood tests to first responders and other employees.

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:

First Responder Certification

The bill authorizes an individual who is certified as a first responder¹ and who has a physical disability resulting from an amputation to continue to serve as a first responder if he or she meets the applicable first responder certification requirements without an accommodation. (Section [1](#))

Florida Medal of Valor and Florida Blue/Red Heart Medal

The bill creates two honorary medals: the Florida Medal of Valor, which may be awarded only to a first responder² or related personnel who goes above and beyond the call of duty to save the life of an individual, and the Florida Blue/Red Heart Medal, which must be awarded to a law enforcement officer, correctional officer, correctional probation officer, or firefighter who is injured in the line of duty. The bill requires the Florida Department of Law Enforcement (FDLE) to issue and administer the application process for these awards. Under the bill, such an

¹ "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.](#)

² *Supra* note 1.

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application may be made by a resident of Florida or an employing agency. The bill specifies that an application for these awards must be considered by a five-member board, at least three of whom must be active, retired, or former law enforcement officers or firefighters, and requires three members to be appointed by the Governor, one member to be appointed by the Speaker of the House of Representatives, and one member to be appointed by the President of the Senate. The bill specifies that the board members must serve two year terms and requires any board vacancy to be filled within three months. (Section [2](#))

Vehicle Kill Switches

The bill 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;
- A law enforcement officer acting in the course and scope of his or her duties to prevent the commission of a felony; or
- Acting for or on behalf of a company that offers a subscription, recurring payment program, or lease in connection with the vehicle.

The bill specifies that the prohibition does not apply to the manufacturer of a vehicle. A violation of the prohibition is punishable as a second degree misdemeanor.³ (Section [3](#))

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;⁴
- State Attorney or assistant state attorney;
- Public Defender;
- Regional Counsel;
- Court-appointed counsel;
- Defense attorney in a criminal proceeding; or
- Judge or justice. (Section [4](#))

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 [5](#))

Depriving an Officer of Means of Protection or Communication

The bill amends the existing prohibition against depriving a law enforcement officer, correctional officer, or correctional probation officer of his or her weapon or radio to also prohibit a person from depriving such an officer of his or her digital recording device, including a body camera, or a restraint device, including handcuffs. The bill also prohibits a person from rendering an officer's weapon; radio; digital recording device, including a body camera; or restraint device, including handcuffs, useless, or otherwise preventing the officer from defending herself or himself or from summoning assistance. A violation is punishable as a third degree felony.⁵ (Section [6](#))

Search Warrants

³ 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.](#)

⁴ [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.

⁵ 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.](#)

The bill increases the time frame within which a search warrant that is issued for a computer,⁶ a computer system,⁷ or an electronic device⁸ that is in the actual possession of a law enforcement agency at the time such a warrant is issued must be returned to the court from within 10 days to within 45 days. (Section [7](#))

Missing Persons Reports

The bill revises procedures for handling [missing persons reports](#) by changing the required review from monthly to annually of cases in the National Missing and Unidentified Persons System (NamUs). It also extends the reporting deadline for missing persons reports by requiring that such reports be submitted to NamUs within 90 days of being filed, rather than within two hours. The current review and reporting timeframes relating to the Florida Crime Information Center and National Crime Information Center remain unchanged. (Sections [8](#) and [9](#))

Critical Infrastructure Mapping Grant Program

The bill creates the Critical Infrastructure Mapping Grant Program (Grant Program), subject to Legislative appropriation, within the 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 [10](#))

Blood Tests of Inmates

The bill requires any first responder⁹ 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.

⁶ "Computer" means an internally programmed, automatic device that performs data processing. [S. 815.03\(2\), F.S.](#)

⁷ "Computer system" means a device or collection of devices, including support devices, one or more of which contain computer programs, electronic instructions, or input data and output data, and which perform functions, including, but not limited to, logic, arithmetic, data storage, retrieval, communication, or control. The term does not include calculators that are not programmable and that are not capable of being used in conjunction with external files. [S. 815.03\(7\), F.S.](#)

⁸ "Electronic device" means a device or a portion of a device that is designed for and capable of communicating across a computer network with other computers or devices for the purpose of transmitting, receiving, or storing data, including, but not limited to, a cellular telephone, tablet, or other portable device designed for and capable of communicating with or across a computer network and that is actually used for such purpose. [S. 815.03\(9\), F.S.](#)

⁹ *Supra*, note 1.

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 [11](#))

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2025. (Section [12](#))

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 a positive indeterminate impact on prison beds 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 and creating criminal penalties for depriving specified officers of digital recording devices or restraints or rendering such officers' weapons, radios, digital recording devices, or restraints useless. The bill may also 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.

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.¹⁰ Generally, kill switches interrupt a vehicle's electrical or fuel system to prevent the vehicle from operating.¹¹ 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).¹²

¹⁰ 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 May 6, 2025). Western Financial Group, *Can a Kill Switch Prevent Car Theft?*, <https://westernfinancialgroup.ca/Can-A-Kill-Switch-Prevent-Car-Theft> (last visited May 6, 2025).

¹¹ *Id.*

¹² *Id.*

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.¹³ First degree murder is a capital felony.¹⁴

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.¹⁵

A conviction for attempted first degree murder is punishable as a first degree felony.¹⁶

False Report of a Crime

[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.¹⁷ If a 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.
- 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.¹⁸

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.¹⁹

Depriving an Officer of Means of Protection or Communication

[Section 843.025, F.S.](#), prohibits a person from depriving a law enforcement officer, correctional officer, or a correctional probation officer of his or her weapon or radio or otherwise depriving such an officer of the means to defend herself or himself or to summon assistance. A violation is punishable as a third degree felony.

Search Warrants

[Section 933.02, F.S.](#), specifies that a search warrant may be issued, consistent with the requirements provided in ch. 933, F.S., when:

- The property to be searched has been stolen or embezzled in violation of law;
- Any property has been used:
 - As a means to commit any crime;
 - In connection with gambling, gambling implements and appliances; or
 - In violation of [s. 847.011, F.S.](#), or other laws relating to obscene prints and literature;
- Any property constitutes evidence relevant to proving that a felony has been committed;
- Any property is being held or possessed:

¹³ [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.](#)

¹⁴ 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.](#)

¹⁵ [Ss. 782.04\(1\)](#) and [777.04, F.S.](#)

¹⁶ [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.](#)

¹⁷ [S. 817.49\(1\), F.S.](#)

¹⁸ 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.](#)

¹⁹ [S. 817.49\(3\), F.S.](#)

- In violation of any of the laws prohibiting the manufacture, sale, and transportation of intoxicating liquors;
- In violation of the fish and game laws;
- In violation of the laws relative to food and drug; or
- In violation of the laws relative to citrus disease pursuant to [s. 581.184, F.S.](#); or
- The laws relating to cruelty to animals, as provided in ch. 828, F.S., have been or are violated in any particular building or place.

A judge must find that probable cause exists to issue a search warrant, and such warrant must describe in particularity the person, place, or thing to be searched and describe the property or thing to be seized.²⁰ A search warrant must be executed and returned with an inventory of the property taken to the issuing court within 10 days after issuance.²¹

Missing Persons Reports

[Section 937.021, F.S.](#), requires law enforcement agencies to adopt written policies for investigating reports of missing children and missing adults. Such policies must ensure timely and thorough investigations and outline procedures for handling such cases, including accepting reports, managing investigations, and maintaining records stored in the Florida Crime Information Center (FCIC),²² the National Crime Information Center (NCIC),²³ and the National Missing and Unidentified Persons System (NamUs).²⁴ Law enforcement agencies must review these cases at least monthly and determine whether to maintain them in the database.²⁵

Law enforcement agencies must accept missing child and adult reports in the jurisdiction where the person was last seen.²⁶ Once a report is filed, law enforcement must notify other relevant agencies and input the information into the state and national databases within two hours.²⁷

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;²⁸ 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.

²⁰ [S. 933.05, F.S.](#)

²¹ *Id.* and [s. 933.12, F.S.](#)

²² The FCIC is a statewide database that provides law enforcement agencies with real-time access to various criminal justice information. See U.S. Department of Justice Office of Justice Programs, [Florida Crime Information Center](#) (last visited May 6, 2025).

²³ The NCIC is a centralized criminal justice database operated by the Federal Bureau of Investigation (FBI) that provides law enforcement agencies across the U.S. with real-time access to critical criminal justice information. See FBI, [PIA: National Crime Information Center \(NCIC\)](#) (last visited May 6, 2025).

²⁴ NamUs is a national database designed to help law enforcement, medical examiners, coroners, and the public track and solve cases of missing, unidentified, and unclaimed persons. See NamUs, [What is NamUs?](#) (last visited May 6, 2025).

²⁵ [S. 937.021\(1\)\(c\), F.S.](#)

²⁶ [S. 937.021\(3\), F.S.](#)

²⁷ See [s. 937.021\(4\), F.S.](#)

²⁸ “Linear asset” means any electric distribution or transmission asset, oil or gas distribution or transmission pipeline, communication wirelines, or railway, and any attachments thereto. [S. 812.141\(1\)\(c\), F.S.](#)

- 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.](#)²⁹
- 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.

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.³⁰ The results must also be provided to a victim if the inmate was arrested for committing specified offenses.³¹ 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.³²

²⁹ 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.

³⁰ [Ss. 951.27\(1\) and \(2\), F.S.](#)

³¹ [S. 951.27\(2\), F.S.](#)

³² [S. 951.27\(3\), F.S.](#)