

By Senator Burgess

23-01394A-25

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1 A bill to be entitled
2 An act relating to arrest and detention of individuals
3 with significant medical conditions; creating s.
4 901.1501, F.S.; authorizing a law enforcement officer
5 to use his or her discretion in determining whether to
6 make an immediate arrest of a person with a
7 significant medical condition who resides in or is
8 confined to a hospital or long-term care facility;
9 providing construction; providing an effective date.

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

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13 Section 1. Section 901.1501, Florida Statutes, is created
14 to read:

15 901.1501 Immediate arrest of a person with a significant
16 medical condition.—

17 (1) In determining whether to make an immediate arrest,
18 including an arrest for an offense listed in s. 903.011(6) or s.
19 907.041(5) (a), of a person with a significant medical condition
20 who, at the time of the commission of the crime, resides in or
21 is confined to a hospital or long-term care facility as defined
22 in s. 400.0060, a law enforcement officer may use his or her
23 discretion based on the totality of the circumstances, including
24 consideration of whether the person is a threat to public safety
25 or a flight risk, and consider all available lawful methods of
26 making an arrest, including seeking an arrest warrant under s.
27 901.02.

28 (2) This section does not prohibit a law enforcement
29 officer from arresting a person without a warrant under s.

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30 901.15, or making such an arrest by any lawful method.

31 Section 2. This act shall take effect July 1, 2025.