

By the Committee on Criminal Justice; and Senator Burgess

591-03148-25

20251450c1

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.; defining the term "person with a
5 significant medical condition"; providing that a law
6 enforcement officer may use his or her discretion in
7 determining whether to make an immediate arrest of
8 such person; providing construction; providing an
9 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) As used in this section, the term "person with a
18 significant medical condition" means a person who is a patient
19 or resident of a hospital licensed under chapter 395, a nursing
20 home facility licensed under part II of chapter 400, or an
21 assisted living facility licensed under part I of chapter 429.

22 (2) In determining whether to make an immediate arrest of a
23 person with a significant medical condition, including an arrest
24 for an offense committed against an elderly person or a disabled
25 adult, a law enforcement officer may use his or her discretion
26 based on the totality of the circumstances, including
27 consideration of whether the person is a current or continued
28 threat to public safety or himself or herself or a flight risk,
29 and may consider all available lawful methods of making an

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30 arrest, including seeking an arrest warrant under s. 901.02.

31 (3) This section does not prohibit a law enforcement
32 officer from arresting a person without a warrant under s.
33 901.15, or making such an arrest by any lawful method.

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