

By Senator Jones

34-00705A-25

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1                   A bill to be entitled  
2           An act relating to custodial interrogations of minors;  
3           creating s. 900.06, F.S.; defining the term "custodial  
4           interrogation"; authorizing a law enforcement officer  
5           or school employee to conduct a custodial  
6           interrogation of a minor only under specified  
7           circumstances; providing a nonwaivable right;  
8           providing an exception; providing an effective date.  
9

10 Be It Enacted by the Legislature of the State of Florida:  
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12           Section 1. Section 900.06, Florida Statutes, is created to  
13 read:

14           900.06 Custodial interrogations of minors.-

15           (1) As used in this section, the term "custodial  
16 interrogation" means questioning or other conduct by a law  
17 enforcement officer or school employee which is reasonably  
18 likely to elicit an incriminating response from an individual  
19 and which occurs under circumstances in which a reasonable  
20 individual in the same circumstances would consider himself or  
21 herself to be in custody and not free to leave.

22           (2) A law enforcement officer or a school employee may  
23 conduct a custodial interrogation of a minor only if:

24           (a) The minor has consulted with a parent or legal guardian  
25 or legal counsel. This right may not be waived by the minor or  
26 by anyone else on behalf of the minor; and

27           (b) The custodial interrogation is video and audio  
28 recorded.

29           (3) The requirement of paragraph (2) (a) does not apply if a

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30 law enforcement officer or school employee can demonstrate, and  
31 the law enforcement officer's or school employee's supervisor  
32 agrees in writing, that there is imminent harm or imminent  
33 danger to the minor or another individual.

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