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A bill to be entitled  
An act relating to juvenile justice; amending s. 14.33, F.S.; authorizing the Governor to award a Medal of Heroism to juvenile detention and juvenile probation officers; amending ss. 112.19 and 112.193, F.S.; revising the definition of the term "law enforcement, correctional, or correctional probation officer" to include juvenile detention and juvenile probation officers; amending s. 112.194, F.S.; authorizing certain entities to establish an award program to award a Medal of Valor to a juvenile detention officer or probation officer in certain circumstances; amending s. 787.035, F.S.; specifying that a certain reference to the department is a reference to the Department of Juvenile Justice; amending s. 943.10, F.S.; revising the definition of the term "officer" to include juvenile detention and juvenile probation officers; defining the terms "juvenile detention officer" and "juvenile probation officer"; amending s. 984.03, F.S.; revising the definition of the term "family in need of services"; amending s. 984.09, F.S.; providing that a child subject to proceedings under ch. 984, F.S., may only be placed in a shelter in certain circumstances; reenacting s. 112.1912(1)(a), F.S., relating to first

26 responders, death benefits for educational expenses,  
27 to incorporate the amendment made to s. 112.19, F.S.,  
28 in a reference thereto; reenacting ss. 384.287(1),  
29 493.6102(1), 741.31(4) (b), 782.07(4), and 790.233(3),  
30 F.S., relating to screening for sexually transmissible  
31 disease, inapplicability of this chapter, violation of  
32 an injunction for protection against domestic  
33 violence, manslaughter, aggravated manslaughter of an  
34 elderly person or disabled adult, aggravated  
35 manslaughter of a child, aggravated manslaughter of an  
36 officer, a firefighter, an emergency medical  
37 technician, or a paramedic, possession of firearm or  
38 ammunition prohibited when person is subject to an  
39 injunction against committing acts of domestic  
40 violence, stalking, or cyberstalking, penalties, to  
41 incorporate the amendment made to s. 943.10, F.S., in  
42 references thereto; reenacting ss. 39.01(1) and  
43 (37) (e), 44.1011(2) (d), 44.102(2) (d), 984.04(1),  
44 984.071(1), 984.10(1) and (2), 984.12, 984.13(3), and  
45 985.03(23), F.S., relating to definitions in  
46 proceedings relating to children, definitions in  
47 dependency mediation, court-ordered mediation, early  
48 truancy intervention, families in need of services and  
49 children in need of services, procedures and  
50 jurisdiction, resources and information, intake, case

51 staffing, services and treatment related to a family  
52 in need of services, taking a child into custody, and  
53 definitions relating to juvenile justice,  
54 respectively, to incorporate the amendment made to s.  
55 984.03, F.S., in references thereto; reenacting ss.  
56 984.03(33), 984.07(1), and 984.151(12), F.S., relating  
57 to definitions relating to children and families in  
58 need of services, right to counsel, waiver, appointed  
59 counsel, compensation, and early truancy intervention,  
60 truancy petition, judgment, respectively, to  
61 incorporate the amendment made to s. 984.09, F.S., in  
62 references thereto; providing an effective date.  
63

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

65

66 **Section 1. Subsection (1) of section 14.33, Florida  
67 Statutes, is amended to read:**

68 14.33 Medal of Heroism.—

69 (1) The Governor may award a Medal of Heroism of  
70 appropriate design, with ribbons and appurtenances, to a law  
71 enforcement, correctional, or correctional probation officer,  
72 juvenile detention officer, or juvenile probation officer, as  
73 defined in s. 943.10(14); a firefighter, as defined in s.  
74 112.191(1)(b); an emergency medical technician, as defined in s.  
75 401.23; or a paramedic, as defined in s. 401.23. A recipient

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76 must have distinguished himself or herself conspicuously by  
77 gallantry and intrepidity, must have risked his or her life  
78 deliberately above and beyond the call of duty while performing  
79 duty in his or her respective position, and must have engaged in  
80 hazardous or perilous activities to preserve lives with the  
81 knowledge that such activities might result in great personal  
82 harm.

83 **Section 2. Section 112.19, Florida Statutes, is amended to**  
84 **read:**

85 112.19 Law enforcement, correctional, and correctional  
86 probation officers; death benefits.—

87 (1) As used in this section, the term:

88 (a) "Employer" means a state board, commission,  
89 department, division, bureau, or agency, or a county,  
90 municipality, or other political subdivision of the state, which  
91 employs, appoints, or otherwise engages the services of law  
92 enforcement, correctional, or correctional probation officers.

93 (b) "Fresh pursuit" means the pursuit of a person who has  
94 committed or is reasonably suspected of having committed a  
95 felony, misdemeanor, traffic infraction, or violation of a  
96 county or municipal ordinance. The term does not imply instant  
97 pursuit, but pursuit without unreasonable delay.

98 (c) "Insurance" means insurance procured from a stock  
99 company or mutual company or association or exchange authorized  
100 to do business as an insurer in this state.

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(d) "Law enforcement, correctional, or correctional probation officer" means any officer as defined in s. 943.10(14) or employee of the state or any political subdivision of the state, including any law enforcement officer, correctional officer, correctional probation officer, juvenile detention officer, juvenile probation officer, state attorney investigator, public defender investigator, or criminal conflict and civil regional counsel investigator, whose duties require such officer or employee to investigate, pursue, apprehend, arrest, transport, or maintain custody of persons who are charged with, suspected of committing, or convicted of a crime; and the term includes any member of a bomb disposal unit whose primary responsibility is the location, handling, and disposal of explosive devices. The term also includes any full-time officer or employee of the state or any political subdivision of the state, certified pursuant to chapter 943, whose duties require such officer to serve process or to attend a session of a circuit or county court as bailiff.

119 (2) (a) The sum of \$75,000 must be paid as provided in this  
120 section when a law enforcement, correctional, or correctional  
121 probation officer, while engaged in the performance of the  
122 officer's law enforcement duties, is accidentally killed or  
123 receives accidental bodily injury which results in the loss of  
124 the officer's life, provided that such killing is not the result  
125 of suicide and that such bodily injury is not intentionally

126 self-inflicted.

127 (b) The sum of \$75,000 must be paid as provided in this  
128 section if a law enforcement, correctional, or correctional  
129 probation officer is accidentally killed as specified in  
130 paragraph (a) and the accidental death occurs:

131 1. As a result of the officer's response to fresh pursuit;

132 2. As a result of the officer's response to what is  
133 reasonably believed to be an emergency;

134 3. At the scene of a traffic accident to which the officer  
135 has responded; or

136 4. While the officer is enforcing what is reasonably  
137 believed to be a traffic law or ordinance.

138  
139 This sum is in addition to any sum provided for in paragraph  
140 (a).

141 (c) If a law enforcement, correctional, or correctional  
142 probation officer, while engaged in the performance of the  
143 officer's law enforcement duties, is unlawfully and  
144 intentionally killed or dies as a result of such unlawful and  
145 intentional act, the sum of \$225,000 must be paid as provided in  
146 this section.

147 (d) Such payments, pursuant to paragraphs (a), (b), and  
148 (c), whether secured by insurance or not, must be made to the  
149 beneficiary designated by such law enforcement, correctional, or  
150 correctional probation officer in writing, signed by the officer

151 and delivered to the employer during the officer's lifetime. If  
152 no such designation is made, then the payments must be paid to  
153 the officer's surviving child or children and to the officer's  
154 surviving spouse in equal portions, and if there is no surviving  
155 child or spouse, then to the officer's parent or parents. If a  
156 beneficiary is not designated and there is no surviving child,  
157 spouse, or parent, then the sum must be paid to the officer's  
158 estate.

159 (e) Such payments, pursuant to paragraphs (a), (b), and  
160 (c), are in addition to any workers' compensation or retirement  
161 plan benefits and are exempt from the claims and demands of  
162 creditors of such law enforcement, correctional, or correctional  
163 probation officer.

164 (f) If a full-time law enforcement, correctional, or  
165 correctional probation officer who is certified pursuant to  
166 chapter 943 and employed by a state agency is killed in the line  
167 of duty while the officer is engaged in the performance of law  
168 enforcement duties or as a result of an assault against the  
169 officer under riot conditions:

170 1. The sum of \$10,000 must be paid, as provided for in  
171 paragraph (d), toward the funeral and burial expenses of such  
172 officer. Such benefits are in addition to any other benefits to  
173 which employee beneficiaries and dependents are entitled under  
174 the Workers' Compensation Law or any other state or federal  
175 statutes; and

176        2. The officer's employing agency may pay up to \$5,000  
177 directly toward the venue expenses associated with the funeral  
178 and burial services of such officer.

179        (g) Any political subdivision of the state that employs a  
180 full-time law enforcement officer as defined in s. 943.10(1) or  
181 a full-time correctional officer as defined in s. 943.10(2) who  
182 is killed in the line of duty on or after July 1, 1993, as a  
183 result of an act of violence inflicted by another person while  
184 the officer is engaged in the performance of law enforcement  
185 duties or as a result of an assault against the officer under  
186 riot conditions shall pay the entire premium of the political  
187 subdivision's health insurance plan for the employee's surviving  
188 spouse until remarried, and for each dependent child of the  
189 employee until the child reaches the age of majority or until  
190 the end of the calendar year in which the child reaches the age  
191 of 25 if:

192        1. At the time of the employee's death, the child is  
193 dependent upon the employee for support; and

194        2. The surviving child continues to be dependent for  
195 support, or the surviving child is a full-time or part-time  
196 student and is dependent for support.

197        (h) 1. Any employer who employs a full-time law  
198 enforcement, correctional, or correctional probation officer  
199 who, on or after January 1, 1995, suffers a catastrophic injury,  
200 as defined in s. 440.02, Florida Statutes 2002, in the line of

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201 duty shall pay the entire premium of the employer's health  
202 insurance plan for the injured employee, the injured employee's  
203 spouse, and for each dependent child of the injured employee  
204 until the child reaches the age of majority or until the end of  
205 the calendar year in which the child reaches the age of 25 if  
206 the child continues to be dependent for support, or the child is  
207 a full-time or part-time student and is dependent for support.  
208 The term "health insurance plan" does not include supplemental  
209 benefits that are not part of the basic group health insurance  
210 plan. If the injured employee subsequently dies, the employer  
211 shall continue to pay the entire health insurance premium for  
212 the surviving spouse until remarried, and for the dependent  
213 children, under the conditions outlined in this paragraph.

214 However:

215 a. Health insurance benefits payable from any other source  
216 shall reduce benefits payable under this section.

217 b. It is unlawful for a person to willfully and knowingly  
218 make, or cause to be made, or to assist, conspire with, or urge  
219 another to make, or cause to be made, any false, fraudulent, or  
220 misleading oral or written statement to obtain health insurance  
221 coverage as provided under this paragraph. A person who violates  
222 this sub-subparagraph commits a misdemeanor of the first degree,  
223 punishable as provided in s. 775.082 or s. 775.083.

224 c. In addition to any applicable criminal penalty, upon  
225 conviction for a violation as described in sub-subparagraph b.,

226 a law enforcement, correctional, or correctional probation  
227 officer or other beneficiary who receives or seeks to receive  
228 health insurance benefits under this paragraph shall forfeit the  
229 right to receive such health insurance benefits, and shall  
230 reimburse the employer for all benefits paid due to the fraud or  
231 other prohibited activity. For purposes of this sub-  
232 subparagraph, the term "conviction" means a determination of  
233 guilt that is the result of a plea or trial, regardless of  
234 whether adjudication is withheld.

235 2. In order for the officer, spouse, and dependent  
236 children to be eligible for such insurance coverage, the injury  
237 must have occurred while the officer was in the line of duty or  
238 engaged in an official training exercise. Except as otherwise  
239 provided herein, this paragraph may not be construed to limit  
240 health insurance coverage for which the officer, spouse, or  
241 dependent children may otherwise be eligible, except that a  
242 person who qualifies under this section is not eligible for the  
243 health insurance subsidy provided under chapter 121, chapter  
244 175, or chapter 185.

245 (i) The Bureau of Crime Prevention and Training within the  
246 Department of Legal Affairs shall adopt rules necessary to  
247 implement paragraphs (a), (b), and (c).

248 (3) If a law enforcement, correctional, or correctional  
249 probation officer is accidentally killed as specified in  
250 paragraph (2) (b) on or after June 22, 1990, but before July 1,

251 2019, or unlawfully and intentionally killed as specified in  
252 paragraph (2) (c) on or after July 1, 1980, but before July 1,  
253 2019, the state must waive certain educational expenses that the  
254 child or spouse of the deceased officer incurs while obtaining a  
255 career certificate, an undergraduate education, or a  
256 postgraduate education. The amount waived by the state must be  
257 in an amount equal to the cost of tuition and matriculation and  
258 registration fees for a total of 120 credit hours. The child or  
259 spouse may attend a state career center, a Florida College  
260 System institution, or a state university on either a full-time  
261 or part-time basis. The benefits provided to a child under this  
262 subsection shall continue until the child's 25th birthday. The  
263 benefits provided to a spouse under this subsection must  
264 commence within 5 years after the death occurs, and entitlement  
265 thereto shall continue until the 10th anniversary of that death.

266 (a) Upon failure of any child or spouse who receives a  
267 waiver in accordance with this subsection to comply with the  
268 ordinary and minimum requirements regarding discipline and  
269 scholarship of the institution attended, such benefits must be  
270 withdrawn as to the child or spouse and no further moneys may be  
271 expended for the child's or spouse's benefits so long as such  
272 failure or delinquency continues.

273 (b) Only a student in good standing in his or her  
274 respective institution may receive the benefits provided in this  
275 subsection.

276       (c) A child or spouse receiving benefits under this  
277 subsection must be enrolled according to the customary rules and  
278 requirements of the institution attended.

279       (4) (a) The employer of such law enforcement, correctional,  
280 or correctional probation officer is liable for the payment of  
281 the sums specified in this section and is deemed self-insured,  
282 unless it procures and maintains, or has already procured and  
283 maintained, insurance to secure such payments. Any such  
284 insurance may cover only the risks indicated in this section, in  
285 the amounts indicated in this section, or it may cover those  
286 risks and additional risks and may be in larger amounts. Any  
287 such insurance must be placed by such employer only after public  
288 bid of such insurance coverage which must be awarded to the  
289 carrier making the lowest best bid.

290       (b) Payment of benefits to beneficiaries of state  
291 employees, or of the premiums to cover the risk, under this  
292 section must be paid from existing funds otherwise appropriated  
293 to the department employing the law enforcement, correctional,  
294 or correctional probation officers.

295       (5) The State Board of Education shall adopt rules and  
296 procedures, and the Board of Governors shall adopt regulations  
297 and procedures, as are appropriate and necessary to implement  
298 the educational benefits provisions of this section.

299       (6) Notwithstanding any provision of this section to the  
300 contrary, the death benefits provided in paragraphs (2) (c) and

301 (g) shall also be applicable and paid in cases where an officer  
302 received bodily injury before July 1, 1993, and subsequently  
303 died on or after July 1, 1993, as a result of such in-line-of-  
304 duty injury attributable to an unlawful and intentional act, or  
305 an act of violence inflicted by another, or an assault on the  
306 officer under riot conditions. Payment of such benefits must be  
307 in accordance with this section. This subsection may not be  
308 construed to limit death benefits for which those individuals  
309 listed in paragraph (2) (d) may otherwise be eligible.

310 **Section 3. Paragraph (b) of subsection (1) and subsections  
311 (2) and (3) of section 112.193, Florida Statutes, are amended to  
312 read:**

313 112.193 Law enforcement, correctional, ~~and~~ correctional  
314 probation, juvenile detention, and juvenile probation officers'  
315 commemorative service awards.—

316 (1) For the purposes of this section, the term:

317 (b) "Law enforcement, correctional, ~~or~~ correctional  
318 probation, juvenile detention, or juvenile probation officer"  
319 means any full-time, part-time, or auxiliary officer as defined  
320 in s. 943.10(14).

321 (2) Each employer that employs or appoints law  
322 enforcement, correctional, ~~or~~ correctional probation, juvenile  
323 detention, or juvenile probation officers may present to each  
324 such employee who retires under any provision of a state or  
325 municipal retirement system, including medical disability

326 retirement, or who is eligible to retire under any such  
327 provision but, instead, resigns from one employer to accept an  
328 elected public office, one complete uniform including the badge  
329 worn by that officer, the officer's service handgun, if one was  
330 issued as part of the officer's equipment, and an identification  
331 card clearly marked "RETIRED."

332 (3) Upon the death of a law enforcement, correctional, ~~or~~  
333 correctional probation, juvenile detention, or juvenile  
334 probation officer, the employer may present to the spouse or  
335 other beneficiary of the officer, upon request, one complete  
336 uniform, including the badge worn by the officer. However, if a  
337 law enforcement, correctional, ~~or~~ correctional probation,  
338 juvenile detention, or juvenile probation officer is killed in  
339 the line of duty, the employer may present, upon request, to the  
340 spouse or other beneficiary of the officer the officer's  
341 service-issued handgun, if one was issued as part of the  
342 officer's equipment. If the employer is not in possession of the  
343 service-issued handgun, the employer may, within its discretion,  
344 and upon written request of the spouse or other beneficiary,  
345 present a similar handgun. The provisions of this section shall  
346 also apply in that instance to a law enforcement or correctional  
347 officer who died before May 1, 1993. In addition, the officer's  
348 service handgun may be presented by the employer for any such  
349 officer who was killed in the line of duty prior to this act  
350 becoming a law.

351       **Section 4. Subsections (1) and (3) of section 112.194, Florida Statutes, are amended to read:**

353       112.194 Law enforcement and correctional, juvenile detention, and juvenile probation officers' Medal of Valor.—

355       (1) Any state board, commission, department, division, bureau, or agency, or any county or municipality that employs or appoints law enforcement officers, or correctional officers, juvenile detention officers, or juvenile probation officers, as defined in s. 943.10(14), may establish an award program to award a Medal of Valor to any such officer whose actions are extraordinary and expose the officer to peril beyond the call of duty.

363       (3) Upon the death of such a law enforcement officer or correctional officer, juvenile detention officer, or juvenile probation officer, the employer may present the Medal of Valor posthumously to the officer's closest living relative.

367       **Section 5. Paragraph (a) of subsection (1) of section 787.035, Florida Statutes, is amended to read:**

369       787.035 Sheltering unmarried minors; aiding unmarried minor runaways; violations.—

371       (1) (a) A person who is not an authorized agent of the Department of Juvenile Justice or the Department of Children and Families may not knowingly shelter an unmarried minor for more than 24 hours without the consent of the minor's parent or guardian or without notifying a law enforcement officer of the

376 minor's name and the fact that the minor is being provided  
377 shelter.

378 **Section 6. Subsection (14) of section 943.10, Florida**  
379 **Statutes, is amended, and new subsections (23) and (24) are**  
380 **added to that section, to read:**

381 943.10 Definitions; ss. 943.085-943.255.—The following  
382 words and phrases as used in ss. 943.085-943.255 are defined as  
383 follows:

384 (14) "Officer" means any person employed or appointed as a  
385 full-time, part-time, or auxiliary law enforcement officer,  
386 correctional officer, ~~or~~ correctional probation officer,  
387 juvenile detention officer, or juvenile probation officer.

388 (23) "Juvenile detention officer" means an officer who is  
389 responsible for the direct supervision of youth who are held in  
390 secure detention. The term includes all certified supervisor  
391 personnel whose duties include, in whole or in part, the  
392 supervision, training, and guidance of juvenile detention  
393 officers, but does not include support personnel employed by the  
394 employing agency.

395 (24) "Juvenile probation officer" means an authorized  
396 agent of the Department of Juvenile Justice who performs the  
397 intake, case management, or supervision functions. The term  
398 includes all certified supervisory personnel whose duties  
399 include, in whole or in part, the supervision, training, and  
400 guidance of juvenile probation officers, but does not include

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401 support personnel employed by the employing agency.

402 **Section 7. Subsection (15) of section 984.03, Florida**  
403 **Statutes, is amended to read:**

404 984.03 Definitions.—When used in this chapter, the term:  
405 (15) "Family in need of services" means a family that has  
406 a child who is running away; who is ungovernable and  
407 persistently disobeying reasonable and lawful demands of the  
408 parent, ~~or~~ legal guardian, or custodian and is beyond the  
409 control of the parent, ~~or~~ legal guardian, or custodian; or who  
410 is a habitual truant or engaging in other serious behaviors that  
411 place the child at risk of future abuse, neglect, or abandonment  
412 or at risk of entering the juvenile justice system. The child  
413 must be referred to a law enforcement agency, the department, or  
414 an agency contracted to provide services to children in need of  
415 services. A family is not eligible to receive voluntary family  
416 services if, at the time of the referral, the child is currently  
417 under court-ordered supervision by the department for  
418 delinquency under chapter 985 or under court-ordered supervision  
419 by the Department of Children and Families under chapter 39.

420 **Section 8. Subsection (2) of section 984.09, Florida**  
421 **Statutes, is amended to read:**

422 984.09 Punishment for contempt of court; alternative  
423 sanctions.—

424 (2) PLACEMENT IN A SHELTER.—A child subject to proceedings  
425 under this chapter adjudicated as a child in need of services

426 may only be placed in a shelter for purposes of punishment for  
427 contempt of court if alternative sanctions are unavailable or  
428 inappropriate, or if the child has already been ordered to serve  
429 an alternative sanction but failed to comply with the sanction.

430 **Section 9. For the purpose of incorporating the amendment**  
431 **made by this act to section 112.19, Florida Statutes, in a**  
432 **reference thereto, paragraph (a) of subsection (1) of section**  
433 **112.1912, Florida Statutes, is reenacted to read:**

434 112.1912 First responders; death benefits for educational  
435 expenses.—

436 (1) As used in this section, the term "first responder" means:

438 (a) A law enforcement, correctional, or correctional  
439 probation officer as defined in s. 112.19(1) who is killed as  
440 provided in s. 112.19(2) on or after July 1, 2019;

441 **Section 10. For the purpose of incorporating the amendment**  
442 **made by this act to section 943.10, Florida Statutes, in a**  
443 **reference thereto, subsection (1) of section 384.287, Florida**  
444 **Statutes, is reenacted to read:**

445 384.287 Screening for sexually transmissible disease.—

446 (1) An officer as defined in s. 943.10(14); support  
447 personnel as defined in s. 943.10(11) who are employed by the  
448 Department of Law Enforcement, including, but not limited to,  
449 any crime scene analyst, forensic technologist, or crime lab  
450 analyst; firefighter as defined in s. 633.102; or ambulance

451      driver, paramedic, or emergency medical technician as defined in  
452      s. 401.23, acting within the scope of employment, who comes into  
453      contact with a person in such a way that significant exposure,  
454      as defined in s. 381.004, has occurred may request that the  
455      person be screened for a sexually transmissible disease that can  
456      be transmitted through a significant exposure.

457      **Section 11. For the purpose of incorporating the amendment  
458      made by this act to section 943.10, Florida Statutes, in a  
459      reference thereto, subsection (1) of section 493.6102, Florida  
460      Statutes, is reenacted to read:**

461      493.6102 Inapplicability of this chapter.—This chapter  
462      shall not apply to:

463          (1) Any individual who is an "officer" as defined in s.  
464          943.10(14) or is a law enforcement officer of the United States  
465          Government, while such local, state, or federal officer is  
466          engaged in her or his official duties or when performing off-  
467          duty security activities approved by her or his superiors.

468      **Section 12. For the purpose of incorporating the amendment  
469      made by this act to section 943.10, Florida Statutes, in a  
470      reference thereto, paragraph (b) of subsection (4) of section  
471      741.31, Florida Statutes, is reenacted to read:**

472      741.31 Violation of an injunction for protection against  
473      domestic violence.—

474          (4)

475          (b)1. It is a violation of s. 790.233, and a misdemeanor

476 of the first degree, punishable as provided in s. 775.082 or s.  
477 775.083, for a person to violate a final injunction for  
478 protection against domestic violence by having in his or her  
479 care, custody, possession, or control any firearm or ammunition.

480 2. It is the intent of the Legislature that the  
481 disabilities regarding possession of firearms and ammunition are  
482 consistent with federal law. Accordingly, this paragraph shall  
483 not apply to a state or local officer as defined in s.  
484 943.10(14), holding an active certification, who receives or  
485 possesses a firearm or ammunition for use in performing official  
486 duties on behalf of the officer's employing agency, unless  
487 otherwise prohibited by the employing agency.

488 **Section 13. For the purpose of incorporating the amendment  
489 made by this act to section 943.10, Florida Statutes, in a  
490 reference thereto, subsection (4) of section 782.07, Florida  
491 Statutes, is reenacted to read:**

492 782.07 Manslaughter; aggravated manslaughter of an elderly  
493 person or disabled adult; aggravated manslaughter of a child;  
494 aggravated manslaughter of an officer, a firefighter, an  
495 emergency medical technician, or a paramedic.—

496 (4) A person who causes the death, through culpable  
497 negligence, of an officer as defined in s. 943.10(14), a  
498 firefighter as defined in s. 112.191, an emergency medical  
499 technician as defined in s. 401.23, or a paramedic as defined in  
500 s. 401.23, while the officer, firefighter, emergency medical

501 technician, or paramedic is performing duties that are within  
502 the course of his or her employment, commits aggravated  
503 manslaughter of an officer, a firefighter, an emergency medical  
504 technician, or a paramedic, a felony of the first degree,  
505 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

506 **Section 14. For the purpose of incorporating the amendment  
507 made by this act to section 943.10, Florida Statutes, in a  
508 reference thereto, subsection (3) of section 790.233, Florida  
509 Statutes, is reenacted to read:**

510 790.233 Possession of firearm or ammunition prohibited  
511 when person is subject to an injunction against committing acts  
512 of domestic violence, stalking, or cyberstalking; penalties.—

513 (3) It is the intent of the Legislature that the  
514 disabilities regarding possession of firearms and ammunition are  
515 consistent with federal law. Accordingly, this section does not  
516 apply to a state or local officer as defined in s. 943.10(14),  
517 holding an active certification, who receives or possesses a  
518 firearm or ammunition for use in performing official duties on  
519 behalf of the officer's employing agency, unless otherwise  
520 prohibited by the employing agency.

521 **Section 15. For the purpose of incorporating the amendment  
522 made by this act to section 984.03, Florida Statutes, in  
523 references thereto, subsection (1) and paragraph (e) of  
524 subsection (37) of section 39.01, Florida Statutes, are  
525 reenacted to read:**

526        39.01 Definitions.—When used in this chapter, unless the  
527 context otherwise requires:

528        (1) "Abandoned" or "abandonment" means a situation in  
529 which the parent or legal custodian of a child or, in the  
530 absence of a parent or legal custodian, the caregiver, while  
531 being able, has made no significant contribution to the child's  
532 care and maintenance or has failed to establish or maintain a  
533 substantial and positive relationship with the child, or both.  
534 For purposes of this subsection, "establish or maintain a  
535 substantial and positive relationship" includes, but is not  
536 limited to, frequent and regular contact with the child through  
537 frequent and regular visitation or frequent and regular  
538 communication to or with the child, and the exercise of parental  
539 rights and responsibilities. Marginal efforts and incidental or  
540 token visits or communications are not sufficient to establish  
541 or maintain a substantial and positive relationship with a  
542 child. A man's acknowledgment of paternity of the child does not  
543 limit the period of time considered in determining whether the  
544 child was abandoned. The term does not include a surrendered  
545 infant as described in s. 383.50, a "child in need of services"  
546 as defined in chapter 984, or a "family in need of services" as  
547 defined in chapter 984. The absence of a parent, legal  
548 custodian, or caregiver responsible for a child's welfare, who  
549 is a servicemember, by reason of deployment or anticipated  
550 deployment as defined in 50 U.S.C. s. 3938(e), may not be

551 considered or used as a factor in determining abandonment. The  
552 incarceration, repeated incarceration, or extended incarceration  
553 of a parent, legal custodian, or caregiver responsible for a  
554 child's welfare may support a finding of abandonment.

555 (37) "Harm" to a child's health or welfare can occur when  
556 any person:

557 (e) Abandons the child. Within the context of the  
558 definition of "harm," the term "abandoned the child" or  
559 "abandonment of the child" means a situation in which the parent  
560 or legal custodian of a child or, in the absence of a parent or  
561 legal custodian, the caregiver, while being able, has made no  
562 significant contribution to the child's care and maintenance or  
563 has failed to establish or maintain a substantial and positive  
564 relationship with the child, or both. For purposes of this  
565 paragraph, "establish or maintain a substantial and positive  
566 relationship" includes, but is not limited to, frequent and regular  
567 contact with the child through frequent and regular  
568 visitation or frequent and regular communication to or with the  
569 child, and the exercise of parental rights and responsibilities.  
570 Marginal efforts and incidental or token visits or  
571 communications are not sufficient to establish or maintain a  
572 substantial and positive relationship with a child. The term  
573 "abandoned" does not include a surrendered infant as described  
574 in s. 383.50, a child in need of services as defined in chapter  
575 984, or a family in need of services as defined in chapter 984.

576 The incarceration, repeated incarceration, or extended  
577 incarceration of a parent, legal custodian, or caregiver  
578 responsible for a child's welfare may support a finding of  
579 abandonment.

580 **Section 16. For the purpose of incorporating the amendment  
581 made by this act to section 984.03, Florida Statutes, in a  
582 reference thereto, paragraph (d) of subsection (2) of section  
583 44.1011, Florida Statutes, is reenacted to read:**

584 44.1011 Definitions.—As used in this chapter:

585 (2) "Mediation" means a process whereby a neutral third  
586 person called a mediator acts to encourage and facilitate the  
587 resolution of a dispute between two or more parties. It is an  
588 informal and nonadversarial process with the objective of  
589 helping the disputing parties reach a mutually acceptable and  
590 voluntary agreement. In mediation, decisionmaking authority  
591 rests with the parties. The role of the mediator includes, but  
592 is not limited to, assisting the parties in identifying issues,  
593 fostering joint problem solving, and exploring settlement  
594 alternatives. "Mediation" includes:

595 (d) "Dependency or in need of services mediation," which  
596 means mediation of dependency, child in need of services, or  
597 family in need of services matters. Negotiations in dependency  
598 or in need of services mediation are primarily conducted by the  
599 parties. Counsel for each party may attend the mediation  
600 conference and privately communicate with their clients.

601     However, presence of counsel is not required and, in the  
602     discretion of the mediator and with the agreement of the  
603     parties, mediation may proceed in the absence of counsel unless  
604     otherwise ordered by the court.

605       **Section 17. For the purpose of incorporating the amendment**  
606       **made by this act to section 984.03, Florida Statutes, in a**  
607       **reference thereto, paragraph (d) of subsection (2) of section**  
608       **44.102, Florida Statutes, is reenacted to read:**

609           44.102 Court-ordered mediation.—

610           (2) A court, under rules adopted by the Supreme Court:

611           (d) In circuits in which a dependency or in need of  
612     services mediation program has been established, may refer to  
613     mediation all or any portion of a matter relating to dependency  
614     or to a child in need of services or a family in need of  
615     services.

616       **Section 18. For the purpose of incorporating the amendment**  
617       **made by this act to section 984.03, Florida Statutes, in a**  
618       **reference thereto, subsection (1) of section 984.04, Florida**  
619       **Statutes, is reenacted to read:**

620           984.04 Early truancy intervention; families in need of  
621     services and children in need of services; procedures and  
622     jurisdiction.—

623           (1) The department shall be responsible for all  
624     nonjudicial proceedings involving voluntary family services for  
625     a family identified as a family in need of services according to

626 rules established by the department under chapter 120.

627 **Section 19. For the purpose of incorporating the amendment**  
628 **made by this act to section 984.03, Florida Statutes, in a**  
629 **reference thereto, subsection (1) of section 984.071, Florida**  
630 **Statutes, is reenacted to read:**

631 984.071 Resources and information.—

632 (1) The department shall develop and publish an  
633 information guide that explains the current process under this  
634 chapter for obtaining assistance for a child in need of services  
635 or a family in need of services and the community services and  
636 resources available to parents. The information guide shall be  
637 published in a written format for distribution and shall also be  
638 published on the department's website. Each information guide  
639 shall be reviewed annually and updated as appropriate. The  
640 school district shall distribute this information guide to  
641 parents of truant children, and to other parents upon request or  
642 as deemed appropriate by the school district. In addition, the  
643 department shall distribute the information guide to state and  
644 local law enforcement agencies. Any law enforcement officer who  
645 has contact with the parent of a child who is locked out of the  
646 home, who is ungovernable, or who runs away from home shall make  
647 the information guide available to the parent.

648 **Section 20. For the purpose of incorporating the amendment**  
649 **made by this act to section 984.03, Florida Statutes, in**  
650 **references thereto, subsections (1) and (2) of section 984.10,**

651 **Florida Statutes, are reenacted to read:**

652       984.10 Intake.—

653       (1) Intake shall be performed by the department or the  
654 department's authorized agent. A report alleging that a child is  
655 from a family in need of services shall be made to the intake  
656 office operating in the county in which the child is found or in  
657 which the case arose. Any person or agency, including, but not  
658 limited to, the parent, legal guardian, or custodian, the local  
659 school district, a law enforcement agency, or the Department of  
660 Children and Families, having knowledge of the facts may make a  
661 report.

662       (2) A representative of the department shall make a  
663 preliminary determination as to whether the report is complete.  
664 The criteria for the completeness of a report with respect to a  
665 child alleged to be from a family in need of services while  
666 subject to compulsory school attendance shall be governed by s.  
667 984.03. In any case in which the representative of the  
668 department finds that the report is incomplete, the  
669 representative of the department shall return the report without  
670 delay to the person or agency originating the report or having  
671 knowledge of the facts or to the appropriate law enforcement  
672 agency having investigative jurisdiction and request additional  
673 information in order to complete the report.

674       **Section 21. For the purpose of incorporating the amendment**  
675 **made by this act to section 984.03, Florida Statutes, in a**

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676 **reference thereto, section 984.12, Florida Statutes, is**  
677 **reenacted to read:**

678 984.12 Case staffing; services and treatment related to a  
679 family in need of services.—

680 (1) The appropriate representative of the department shall  
681 request a meeting of the family and child with a case staffing  
682 committee to review the case of any family or child who the  
683 department determines is in need of services if:

684 (a) The family or child is not in agreement with the  
685 services or treatment offered;

686 (b) The family or child will not participate in the  
687 services or treatment selected; or

688 (c) The representative of the department needs assistance  
689 in developing an appropriate plan for services. The time and  
690 place selected for the meeting shall be convenient for the child  
691 and family.

692 (2) The composition of the case staffing committee shall  
693 be based on the needs of the family and child. It shall include  
694 a representative from the child's school district and a  
695 representative of the department, and may include the  
696 department's authorized agent and a supervisor of the  
697 department's contracted provider; a representative from the area  
698 of health, mental health, substance abuse, or social services; a  
699 representative of the state attorney; a representative of law  
700 enforcement; and any person recommended by the child, family, or

701 department. The child and the child's parent, legal guardian, or  
702 custodian must be invited to attend the committee meeting.

703 (3) The case staffing committee shall:

704 (a) Identify the family's concerns and contributing  
705 factors.

706 (b) Request the family and child to identify their needs  
707 and concerns.

708 (c) Seek input from the school district and any other  
709 persons in attendance with knowledge of the family or child's  
710 situation and concerns.

711 (d) Consider the voluntary family services or other  
712 community services that have been offered and the results of  
713 those services.

714 (e) Identify whether truancy is a concern and evaluate  
715 compliance with the remedial strategies provided pursuant to s.  
716 1003.26.

717 (f) Reach a timely decision to provide the child or family  
718 with services and recommend any appropriate treatment through  
719 the development of a plan for services.

720 (4) The plan for services shall contain the following:

721 (a) Statement of the concerns.

722 (b) Needs of the child.

723 (c) Needs of the parents, legal guardian, or custodian.

724 (d) Measurable objectives that address the identified  
725 problems and needs.

726       (e) Services and treatment to be provided, to include:

727       1. Type of services or treatment.

728       2. Frequency of services or treatment.

729       3. Location.

730       4. Accountable service providers or staff.

731       (f) Timeframes for achieving objectives.

732       (5) Upon receipt of the plan, the child and family shall  
733 acknowledge their position by accepting or rejecting the  
734 services and provisions in writing. If the plan is accepted, it  
735 shall be implemented as soon as is practicable.

736       (6) The assigned case manager shall have responsibility  
737 for implementing the plan. The department's authorized agent  
738 shall periodically review the progress towards achieving the  
739 objectives of the plan in order to:

740       (a) Advise the case staffing committee of the need to make  
741 adjustments to the plan;

742       (b) Recommend a child in need of services petition be  
743 filed by the department; or

744       (c) Terminate the case as indicated by successful or  
745 substantial achievement of the objectives of the plan.

746       (7) The parent, legal guardian, or custodian may convene a  
747 meeting of the case staffing committee. A case staffing  
748 committee meeting requested by a parent, guardian, or legal  
749 custodian must be convened within 7 days, excluding weekends and  
750 legal holidays, after the date the department's representative

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751 receives the request in writing.

752 (8) Any other member of the committee may convene a  
753 meeting if voluntary family services have been offered and the  
754 services have been rejected by the child or family, or the child  
755 has not made measurable progress toward achieving the service  
756 plan goals, and the member finds that doing so is in the best  
757 interest of the family or child.

758 (9) A case staffing committee meeting must be convened  
759 within 30 days after the date the case is referred by the court  
760 pursuant to s. 984.151.

761 (10) Within 7 days after meeting, the case staffing  
762 committee shall provide the parent, legal guardian, or custodian  
763 with a written report that details the reasons for the  
764 committee's decision to recommend, or decline to recommend, that  
765 the department file a petition alleging that the child is a  
766 child in need of services.

767 (11) The case staffing committee may reconvene from time  
768 to time as may be necessary to make adjustments to the plan.

769 **Section 22. For the purpose of incorporating the amendment**  
770 **made by this act to section 984.03, Florida Statutes, in a**  
771 **reference thereto, subsection (3) of section 984.13, Florida**  
772 **Statutes, is reenacted to read:**

773 984.13 Taking a child into custody.—

774 (3) If the child is taken into custody and is delivered to  
775 a shelter, the department's authorized agent shall review the

776 facts and make such further inquiry as necessary to determine  
777 whether the child shall remain in shelter, receive voluntary  
778 family services that would allow the child alleged to be from a  
779 family in need of services to remain at home, or be released.

780 **Section 23. For the purpose of incorporating the amendment  
781 made by this act to section 984.03, Florida Statutes, in a  
782 reference thereto, subsection (23) of section 985.03, Florida  
783 Statutes, is reenacted to read:**

784 985.03 Definitions.—As used in this chapter, the term:

785 (23) "Family in need of services" has the same meaning as  
786 provided in s. 984.03.

787 **Section 24. For the purpose of incorporating the amendment  
788 made by this act to section 984.09, Florida Statutes, in a  
789 reference thereto, subsection (33) of section 984.03, Florida  
790 Statutes, is reenacted to read:**

791 984.03 Definitions.—When used in this chapter, the term:

792 (33) "Shelter" means a department-approved shelter  
793 facility for the temporary care of runaway children; for  
794 children placed for voluntary shelter respite upon request of  
795 the child or the child's parent, legal guardian, or custodian;  
796 or for placement of a child who has been adjudicated a child in  
797 need of services or who has been found in contempt of court  
798 under s. 984.09. Shelters must provide 24-hour continual  
799 supervision. A shelter must be licensed by the Department of  
800 Children and Families as a licensed child-caring agency.

801       **Section 25. For the purpose of incorporating the amendment**  
802       **made by this act to section 984.09, Florida Statutes, in a**  
803       **reference thereto, subsection (1) of section 984.07, Florida**  
804       **Statutes, is reenacted to read:**

805       984.07 Right to counsel; waiver; appointed counsel;  
806       compensation.—

807       (1) When a petition is filed alleging that a child is a  
808       child in need of services or if the child is subject to contempt  
809       proceedings under s. 984.09, the child must be represented by  
810       counsel at each court appearance. The court must appoint counsel  
811       unless the child is not indigent and has counsel present to  
812       represent the child or the record in that proceeding  
813       affirmatively demonstrates by clear and convincing evidence that  
814       the child knowingly and intelligently waived the right to  
815       counsel after being fully advised by the court of the nature of  
816       the proceedings and the dispositional alternatives available to  
817       the court. If the child waives counsel at any proceeding, the  
818       court shall advise the child with respect to the right to  
819       counsel at every subsequent hearing.

820       **Section 26. For the purpose of incorporating the amendment**  
821       **made by this act to section 984.09, Florida Statutes, in a**  
822       **reference thereto, subsection (12) of section 984.151, Florida**  
823       **Statutes, is reenacted to read:**

824       984.151 Early truancy intervention; truancy petition;  
825       judgment.—

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826                   (12) The court may not order a child placed in shelter  
827 pursuant to this section unless the court has found the child to  
828 be in contempt for violation of a court order under s. 984.09.

829                   **Section 27.** This act shall take effect upon becoming a  
830 law.