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1
2 An act relating to juvenile justice; amending s.
3 14.33, F.S.; authorizing the Governor to award a Medal
4 of Heroism to juvenile detention and juvenile
5 probation officers; amending ss. 112.19 and 112.193,
6 F.S.; revising the definition of the term "law
7 enforcement, correctional, or correctional probation
8 officer" to include juvenile detention and juvenile
9 probation officers; amending s. 112.194, F.S.;
10 authorizing certain entities to establish an award
11 program to award a Medal of Valor to a juvenile
12 detention officer or probation officer in certain
13 circumstances; amending s. 787.035, F.S.; specifying
14 that a certain reference to the department is a
15 reference to the Department of Juvenile Justice;
16 amending s. 943.10, F.S.; revising the definition of
17 the term "officer" to include juvenile detention and
18 juvenile probation officers; defining the terms
19 "juvenile detention officer" and "juvenile probation
20 officer"; amending s. 984.03, F.S.; revising the
21 definition of the term "family in need of services";
22 amending s. 984.09, F.S.; providing that a child
23 subject to proceedings under ch. 984, F.S., may only
24 be placed in a shelter in certain circumstances;
25 amending s. 985.6865, F.S.; requiring the Department

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26 | of Juvenile Justice to direct the Department of
 27 | Revenue to deduct specified amounts owed to the
 28 | Department of Juvenile Justice upon a certain
 29 | determination; requiring the Department of Revenue to
 30 | transfer such funds into a certain trust fund;
 31 | specifying requirements relating to such reductions in
 32 | amounts distributed to counties; reenacting s.
 33 | 112.1912(1)(a), F.S., relating to first responders,
 34 | death benefits for educational expenses, to
 35 | incorporate the amendment made to s. 112.19, F.S., in
 36 | a reference thereto; reenacting ss. 384.287(1),
 37 | 493.6102(1), 741.31(4)(b), 782.07(4), and 790.233(3),
 38 | F.S., relating to screening for sexually transmissible
 39 | disease, inapplicability of this chapter, violation of
 40 | an injunction for protection against domestic
 41 | violence, manslaughter, aggravated manslaughter of an
 42 | elderly person or disabled adult, aggravated
 43 | manslaughter of a child, aggravated manslaughter of an
 44 | officer, a firefighter, an emergency medical
 45 | technician, or a paramedic, possession of firearm or
 46 | ammunition prohibited when person is subject to an
 47 | injunction against committing acts of domestic
 48 | violence, stalking, or cyberstalking, penalties, to
 49 | incorporate the amendment made to s. 943.10, F.S., in
 50 | references thereto; reenacting ss. 39.01(1) and

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51 (37) (e), 44.1011(2) (d), 44.102(2) (d), 984.04(1),
 52 984.071(1), 984.10(1) and (2), 984.12, 984.13(3), and
 53 985.03(23), F.S., relating to definitions in
 54 proceedings relating to children, definitions in
 55 dependency mediation, court-ordered mediation, early
 56 truancy intervention, families in need of services and
 57 children in need of services, procedures and
 58 jurisdiction, resources and information, intake, case
 59 staffing, services and treatment related to a family
 60 in need of services, taking a child into custody, and
 61 definitions relating to juvenile justice,
 62 respectively, to incorporate the amendment made to s.
 63 984.03, F.S., in references thereto; reenacting ss.
 64 984.03(33), 984.07(1), and 984.151(12), F.S., relating
 65 to definitions relating to children and families in
 66 need of services, right to counsel, waiver, appointed
 67 counsel, compensation, and early truancy intervention,
 68 truancy petition, judgment, respectively, to
 69 incorporate the amendment made to s. 984.09, F.S., in
 70 references thereto; providing an effective date.

71
 72 Be It Enacted by the Legislature of the State of Florida:

73
 74 Section 1. Subsection (1) of section 14.33, Florida
 75 Statutes, is amended to read:

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76 14.33 Medal of Heroism.—

77 (1) The Governor may award a Medal of Heroism of
 78 appropriate design, with ribbons and appurtenances, to a law
 79 enforcement, correctional, ~~or~~ correctional probation officer,
 80 juvenile detention officer, or juvenile probation officer, as
 81 defined in s. 943.10(14); a firefighter, as defined in s.
 82 112.191(1)(b); an emergency medical technician, as defined in s.
 83 401.23; or a paramedic, as defined in s. 401.23. A recipient
 84 must have distinguished himself or herself conspicuously by
 85 gallantry and intrepidity, must have risked his or her life
 86 deliberately above and beyond the call of duty while performing
 87 duty in his or her respective position, and must have engaged in
 88 hazardous or perilous activities to preserve lives with the
 89 knowledge that such activities might result in great personal
 90 harm.

91 Section 2. Section 112.19, Florida Statutes, is amended to
 92 read:

93 112.19 Law enforcement, correctional, and correctional
 94 probation officers; death benefits.—

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

96 (a) "Employer" means a state board, commission,
 97 department, division, bureau, or agency, or a county,
 98 municipality, or other political subdivision of the state, which
 99 employs, appoints, or otherwise engages the services of law
 100 enforcement, correctional, or correctional probation officers.

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101 (b) "Fresh pursuit" means the pursuit of a person who has
 102 committed or is reasonably suspected of having committed a
 103 felony, misdemeanor, traffic infraction, or violation of a
 104 county or municipal ordinance. The term does not imply instant
 105 pursuit, but pursuit without unreasonable delay.

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

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

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126 | a circuit or county court as bailiff.

127 | (2) (a) The sum of \$75,000 must be paid as provided in this
128 | section when a law enforcement, correctional, or correctional
129 | probation officer, while engaged in the performance of the
130 | officer's law enforcement duties, is accidentally killed or
131 | receives accidental bodily injury which results in the loss of
132 | the officer's life, provided that such killing is not the result
133 | of suicide and that such bodily injury is not intentionally
134 | self-inflicted.

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

- 139 | 1. As a result of the officer's response to fresh pursuit;
140 | 2. As a result of the officer's response to what is
141 | reasonably believed to be an emergency;
142 | 3. At the scene of a traffic accident to which the officer
143 | has responded; or
144 | 4. While the officer is enforcing what is reasonably
145 | believed to be a traffic law or ordinance.

146 |
147 | This sum is in addition to any sum provided for in paragraph
148 | (a).

149 | (c) If a law enforcement, correctional, or correctional
150 | probation officer, while engaged in the performance of the

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151 officer's law enforcement duties, is unlawfully and
152 intentionally killed or dies as a result of such unlawful and
153 intentional act, the sum of \$225,000 must be paid as provided in
154 this section.

155 (d) Such payments, pursuant to paragraphs (a), (b), and
156 (c), whether secured by insurance or not, must be made to the
157 beneficiary designated by such law enforcement, correctional, or
158 correctional probation officer in writing, signed by the officer
159 and delivered to the employer during the officer's lifetime. If
160 no such designation is made, then the payments must be paid to
161 the officer's surviving child or children and to the officer's
162 surviving spouse in equal portions, and if there is no surviving
163 child or spouse, then to the officer's parent or parents. If a
164 beneficiary is not designated and there is no surviving child,
165 spouse, or parent, then the sum must be paid to the officer's
166 estate.

167 (e) Such payments, pursuant to paragraphs (a), (b), and
168 (c), are in addition to any workers' compensation or retirement
169 plan benefits and are exempt from the claims and demands of
170 creditors of such law enforcement, correctional, or correctional
171 probation officer.

172 (f) If a full-time law enforcement, correctional, or
173 correctional probation officer who is certified pursuant to
174 chapter 943 and employed by a state agency is killed in the line
175 of duty while the officer is engaged in the performance of law

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176 enforcement duties or as a result of an assault against the
 177 officer under riot conditions:

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

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

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

200 1. At the time of the employee's death, the child is

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201 dependent upon the employee for support; and

202 2. The surviving child continues to be dependent for
203 support, or the surviving child is a full-time or part-time
204 student and is dependent for support.

205 (h)1. Any employer who employs a full-time law
206 enforcement, correctional, or correctional probation officer
207 who, on or after January 1, 1995, suffers a catastrophic injury,
208 as defined in s. 440.02, Florida Statutes 2002, in the line of
209 duty shall pay the entire premium of the employer's health
210 insurance plan for the injured employee, the injured employee's
211 spouse, and for each dependent child of the injured employee
212 until the child reaches the age of majority or until the end of
213 the calendar year in which the child reaches the age of 25 if
214 the child continues to be dependent for support, or the child is
215 a full-time or part-time student and is dependent for support.
216 The term "health insurance plan" does not include supplemental
217 benefits that are not part of the basic group health insurance
218 plan. If the injured employee subsequently dies, the employer
219 shall continue to pay the entire health insurance premium for
220 the surviving spouse until remarried, and for the dependent
221 children, under the conditions outlined in this paragraph.

222 However:

223 a. Health insurance benefits payable from any other source
224 shall reduce benefits payable under this section.

225 b. It is unlawful for a person to willfully and knowingly

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226 | make, or cause to be made, or to assist, conspire with, or urge
 227 | another to make, or cause to be made, any false, fraudulent, or
 228 | misleading oral or written statement to obtain health insurance
 229 | coverage as provided under this paragraph. A person who violates
 230 | this sub-subparagraph commits a misdemeanor of the first degree,
 231 | punishable as provided in s. 775.082 or s. 775.083.

232 | c. In addition to any applicable criminal penalty, upon
 233 | conviction for a violation as described in sub-subparagraph b.,
 234 | a law enforcement, correctional, or correctional probation
 235 | officer or other beneficiary who receives or seeks to receive
 236 | health insurance benefits under this paragraph shall forfeit the
 237 | right to receive such health insurance benefits, and shall
 238 | reimburse the employer for all benefits paid due to the fraud or
 239 | other prohibited activity. For purposes of this sub-
 240 | subparagraph, the term "conviction" means a determination of
 241 | guilt that is the result of a plea or trial, regardless of
 242 | whether adjudication is withheld.

243 | 2. In order for the officer, spouse, and dependent
 244 | children to be eligible for such insurance coverage, the injury
 245 | must have occurred while the officer was in the line of duty or
 246 | engaged in an official training exercise. Except as otherwise
 247 | provided herein, this paragraph may not be construed to limit
 248 | health insurance coverage for which the officer, spouse, or
 249 | dependent children may otherwise be eligible, except that a
 250 | person who qualifies under this section is not eligible for the

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251 health insurance subsidy provided under chapter 121, chapter
252 175, or chapter 185.

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

256 (3) If a law enforcement, correctional, or correctional
257 probation officer is accidentally killed as specified in
258 paragraph (2)(b) on or after June 22, 1990, but before July 1,
259 2019, or unlawfully and intentionally killed as specified in
260 paragraph (2)(c) on or after July 1, 1980, but before July 1,
261 2019, the state must waive certain educational expenses that the
262 child or spouse of the deceased officer incurs while obtaining a
263 career certificate, an undergraduate education, or a
264 postgraduate education. The amount waived by the state must be
265 in an amount equal to the cost of tuition and matriculation and
266 registration fees for a total of 120 credit hours. The child or
267 spouse may attend a state career center, a Florida College
268 System institution, or a state university on either a full-time
269 or part-time basis. The benefits provided to a child under this
270 subsection shall continue until the child's 25th birthday. The
271 benefits provided to a spouse under this subsection must
272 commence within 5 years after the death occurs, and entitlement
273 thereto shall continue until the 10th anniversary of that death.

274 (a) Upon failure of any child or spouse who receives a
275 waiver in accordance with this subsection to comply with the

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276 ordinary and minimum requirements regarding discipline and
277 scholarship of the institution attended, such benefits must be
278 withdrawn as to the child or spouse and no further moneys may be
279 expended for the child's or spouse's benefits so long as such
280 failure or delinquency continues.

281 (b) Only a student in good standing in his or her
282 respective institution may receive the benefits provided in this
283 subsection.

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

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

298 (b) Payment of benefits to beneficiaries of state
299 employees, or of the premiums to cover the risk, under this
300 section must be paid from existing funds otherwise appropriated

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301 to the department employing the law enforcement, correctional,
 302 or correctional probation officers.

303 (5) The State Board of Education shall adopt rules and
 304 procedures, and the Board of Governors shall adopt regulations
 305 and procedures, as are appropriate and necessary to implement
 306 the educational benefits provisions of this section.

307 (6) Notwithstanding any provision of this section to the
 308 contrary, the death benefits provided in paragraphs (2)(c) and
 309 (g) shall also be applicable and paid in cases where an officer
 310 received bodily injury before July 1, 1993, and subsequently
 311 died on or after July 1, 1993, as a result of such in-line-of-
 312 duty injury attributable to an unlawful and intentional act, or
 313 an act of violence inflicted by another, or an assault on the
 314 officer under riot conditions. Payment of such benefits must be
 315 in accordance with this section. This subsection may not be
 316 construed to limit death benefits for which those individuals
 317 listed in paragraph (2)(d) may otherwise be eligible.

318 Section 3. Paragraph (b) of subsection (1) and subsections
 319 (2) and (3) of section 112.193, Florida Statutes, are amended to
 320 read:

321 112.193 Law enforcement, correctional, ~~and~~ correctional
 322 probation, juvenile detention, and juvenile probation officers'
 323 commemorative service awards.—

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

325 (b) "Law enforcement, correctional, ~~or~~ correctional

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326 probation, juvenile detention, or juvenile probation officer"
 327 means any full-time, part-time, or auxiliary officer as defined
 328 in s. 943.10(14).

329 (2) Each employer that employs or appoints law
 330 enforcement, correctional, ~~or~~ correctional probation, juvenile
 331 detention, or juvenile probation officers may present to each
 332 such employee who retires under any provision of a state or
 333 municipal retirement system, including medical disability
 334 retirement, or who is eligible to retire under any such
 335 provision but, instead, resigns from one employer to accept an
 336 elected public office, one complete uniform including the badge
 337 worn by that officer, the officer's service handgun, if one was
 338 issued as part of the officer's equipment, and an identification
 339 card clearly marked "RETIRED."

340 (3) Upon the death of a law enforcement, correctional, ~~or~~
 341 correctional probation, juvenile detention, or juvenile
 342 probation officer, the employer may present to the spouse or
 343 other beneficiary of the officer, upon request, one complete
 344 uniform, including the badge worn by the officer. However, if a
 345 law enforcement, correctional, ~~or~~ correctional probation,
 346 juvenile detention, or juvenile probation officer is killed in
 347 the line of duty, the employer may present, upon request, to the
 348 spouse or other beneficiary of the officer the officer's
 349 service-issued handgun, if one was issued as part of the
 350 officer's equipment. If the employer is not in possession of the

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351 service-issued handgun, the employer may, within its discretion,
 352 and upon written request of the spouse or other beneficiary,
 353 present a similar handgun. The provisions of this section shall
 354 also apply in that instance to a law enforcement or correctional
 355 officer who died before May 1, 1993. In addition, the officer's
 356 service handgun may be presented by the employer for any such
 357 officer who was killed in the line of duty prior to this act
 358 becoming a law.

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

361 112.194 Law enforcement ~~and~~ correctional, juvenile
 362 detention, and juvenile probation officers' Medal of Valor.—

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

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

375 Section 5. Paragraph (a) of subsection (1) of section

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376 787.035, Florida Statutes, is amended to read:

377 787.035 Sheltering unmarried minors; aiding unmarried
378 minor runaways; violations.—

379 (1) (a) A person who is not an authorized agent of the
380 Department of Juvenile Justice or the Department of Children and
381 Families may not knowingly shelter an unmarried minor for more
382 than 24 hours without the consent of the minor's parent or
383 guardian or without notifying a law enforcement officer of the
384 minor's name and the fact that the minor is being provided
385 shelter.

386 Section 6. Subsection (14) of section 943.10, Florida
387 Statutes, is amended, and new subsections (23) and (24) are
388 added to that section, to read:

389 943.10 Definitions; ss. 943.085-943.255.—The following
390 words and phrases as used in ss. 943.085-943.255 are defined as
391 follows:

392 (14) "Officer" means any person employed or appointed as a
393 full-time, part-time, or auxiliary law enforcement officer,
394 correctional officer, ~~or~~ correctional probation officer,
395 juvenile detention officer, or juvenile probation officer.

396 (23) "Juvenile detention officer" means an officer who is
397 responsible for the direct supervision of youth who are held in
398 secure detention. The term includes all certified supervisor
399 personnel whose duties include, in whole or in part, the
400 supervision, training, and guidance of juvenile detention

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401 officers, but does not include support personnel employed by the
 402 employing agency.

403 (24) "Juvenile probation officer" means an authorized
 404 agent of the Department of Juvenile Justice who performs the
 405 intake, case management, or supervision functions. The term
 406 includes all certified supervisory personnel whose duties
 407 include, in whole or in part, the supervision, training, and
 408 guidance of juvenile probation officers, but does not include
 409 support personnel employed by the employing agency.

410 Section 7. Subsection (15) of section 984.03, Florida
 411 Statutes, is amended to read:

412 984.03 Definitions.—When used in this chapter, the term:

413 (15) "Family in need of services" means a family that has
 414 a child who is running away; who is ungovernable and
 415 persistently disobeying reasonable and lawful demands of the
 416 parent, ~~or~~ legal guardian, or custodian and is beyond the
 417 control of the parent, ~~or~~ legal guardian, or custodian; or who
 418 is a habitual truant or engaging in other serious behaviors that
 419 place the child at risk of future abuse, neglect, or abandonment
 420 or at risk of entering the juvenile justice system. The child
 421 must be referred to a law enforcement agency, the department, or
 422 an agency contracted to provide services to children in need of
 423 services. A family is not eligible to receive voluntary family
 424 services if, at the time of the referral, the child is currently
 425 under court-ordered supervision by the department for

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426 delinquency under chapter 985 or under court-ordered supervision
 427 by the Department of Children and Families under chapter 39.

428 Section 8. Subsection (2) of section 984.09, Florida
 429 Statutes, is amended to read:

430 984.09 Punishment for contempt of court; alternative
 431 sanctions.—

432 (2) PLACEMENT IN A SHELTER.—A child subject to proceedings
 433 under this chapter ~~adjudicated as a child in need of services~~
 434 may only be placed in a shelter for purposes of punishment for
 435 contempt of court if alternative sanctions are unavailable or
 436 inappropriate, or if the child has already been ordered to serve
 437 an alternative sanction but failed to comply with the sanction.

438 Section 9. Section 985.6865, Florida Statutes, is amended
 439 to read:

440 985.6865 Juvenile detention costs.—

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

442 (a) "Detention care" means secure detention and respite
 443 beds for juveniles charged with a domestic violence crime.

444 (b) "Fiscally constrained county" means a county within a
 445 rural area of opportunity as designated by the Governor pursuant
 446 to s. 288.0656 or each county for which the value of a mill will
 447 raise no more than \$5 million in revenue, based on the certified
 448 school taxable value certified pursuant to s. 1011.62(4)(a)1.a.,
 449 from the previous July 1.

450 (c) "Total shared detention costs" means the amount of

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451 funds expended by the department for the costs of detention care
452 for the prior fiscal year. This amount includes the most recent
453 actual certify forward amounts minus any funds it expends on
454 detention care for juveniles residing in fiscally constrained
455 counties or out of state.

456 (2) Annually by July 15, the department shall calculate
457 and provide to each county that is not a fiscally constrained
458 county and that does not provide its own detention care for
459 juveniles its annual percentage share by dividing the total
460 number of detention days for juveniles residing in the county
461 for the most recently completed 12-month period by the total
462 number of detention days for juveniles in all counties that are
463 not fiscally constrained counties during the same period. The
464 annual percentage share of each county that is not a fiscally
465 constrained county and that does not provide its own detention
466 care for juveniles must be multiplied by 50 percent of the total
467 shared detention costs to determine that county's share of
468 detention costs. Beginning August 1, each such county shall pay
469 to the department its share of detention costs, which shall be
470 paid in 12 equal payments due on the first day of each month.
471 The state shall pay the remaining actual costs of detention
472 care.

473 (3) Each quarter, the department shall review county
474 juvenile detention payments to ensure that counties fulfill
475 their financial responsibilities required under this section. If

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476 the department determines that a county has not met its
 477 obligations, the department must direct the Department of
 478 Revenue to deduct the amount owed to the department from the
 479 funds provided to the county under s. 218.23. The Department of
 480 Revenue shall transfer the funds withheld into the Shared
 481 County/State Juvenile Detention Trust Fund.

482 (4) As an assurance to holders of bonds issued by counties
 483 before July 1 of each year, for which distributions made
 484 pursuant to s. 218.23 are pledged, or bonds issued to refund
 485 such bonds which mature no later than the bonds they refunded
 486 and which result in a reduction of debt service payable in each
 487 fiscal year, the amount available for distribution to a county
 488 shall remain as provided by law and continue to be subject to
 489 any lien or claim on behalf of the bondholders. The Department
 490 of Revenue must ensure, based on information provided by an
 491 affected county, that any reduction in amounts distributed
 492 pursuant to subsection (3) does not reduce the amount of
 493 distribution to a county below the amount necessary for the
 494 timely payment of principal and interest when due on the bonds
 495 and the amount necessary to comply with any covenant under the
 496 bond resolution or other documents relating to the issuance of
 497 the bonds. If a reduction to a county's monthly distribution
 498 must be decreased in order to comply with this section, the
 499 Department of Revenue must notify the department of the amount
 500 of the decrease, and the department must send a bill for payment

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501 of such amount to the affected county.

502 (5)~~(3)~~ The state shall pay all costs of detention care for
 503 juveniles residing in a fiscally constrained county and for
 504 juveniles residing out of state. The state shall pay all costs
 505 of detention care for juveniles housed in state detention
 506 centers from counties that provide their own detention care for
 507 juveniles.

508 (6)~~(4)~~ Each county that is not a fiscally constrained
 509 county and that does not provide its own detention care for
 510 juveniles shall incorporate into its annual county budget
 511 sufficient funds to pay its annual percentage share of the total
 512 shared detention costs required by subsection (2).

513 (7)~~(5)~~ Funds paid by the counties to the department
 514 pursuant to this section must be deposited into the Shared
 515 County/State Juvenile Detention Trust Fund.

516 ~~(6) The department shall determine each quarter whether~~
 517 ~~the counties are remitting funds as required by this section.~~

518 (8)~~(7)~~ Funds received from counties pursuant to this
 519 section are not subject to the service charges provided in s.
 520 215.20.

521 (9)~~(8)~~ The department may adopt rules to administer this
 522 section.

523 Section 10. For the purpose of incorporating the amendment
 524 made by this act to section 112.19, Florida Statutes, in a
 525 reference thereto, paragraph (a) of subsection (1) of section

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526 | 112.1912, Florida Statutes, is reenacted to read:

527 | 112.1912 First responders; death benefits for educational
528 | expenses.—

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

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

534 | Section 11. For the purpose of incorporating the amendment
535 | made by this act to section 943.10, Florida Statutes, in a
536 | reference thereto, subsection (1) of section 384.287, Florida
537 | Statutes, is reenacted to read:

538 | 384.287 Screening for sexually transmissible disease.—

539 | (1) An officer as defined in s. 943.10(14); support
540 | personnel as defined in s. 943.10(11) who are employed by the
541 | Department of Law Enforcement, including, but not limited to,
542 | any crime scene analyst, forensic technologist, or crime lab
543 | analyst; firefighter as defined in s. 633.102; or ambulance
544 | driver, paramedic, or emergency medical technician as defined in
545 | s. 401.23, acting within the scope of employment, who comes into
546 | contact with a person in such a way that significant exposure,
547 | as defined in s. 381.004, has occurred may request that the
548 | person be screened for a sexually transmissible disease that can
549 | be transmitted through a significant exposure.

550 | Section 12. For the purpose of incorporating the amendment

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551 made by this act to section 943.10, Florida Statutes, in a
 552 reference thereto, subsection (1) of section 493.6102, Florida
 553 Statutes, is reenacted to read:

554 493.6102 Inapplicability of this chapter.—This chapter
 555 shall not apply to:

556 (1) Any individual who is an "officer" as defined in s.
 557 943.10(14) or is a law enforcement officer of the United States
 558 Government, while such local, state, or federal officer is
 559 engaged in her or his official duties or when performing off-
 560 duty security activities approved by her or his superiors.

561 Section 13. For the purpose of incorporating the amendment
 562 made by this act to section 943.10, Florida Statutes, in a
 563 reference thereto, paragraph (b) of subsection (4) of section
 564 741.31, Florida Statutes, is reenacted to read:

565 741.31 Violation of an injunction for protection against
 566 domestic violence.—

567 (4)

568 (b)1. It is a violation of s. 790.233, and a misdemeanor
 569 of the first degree, punishable as provided in s. 775.082 or s.
 570 775.083, for a person to violate a final injunction for
 571 protection against domestic violence by having in his or her
 572 care, custody, possession, or control any firearm or ammunition.

573 2. It is the intent of the Legislature that the
 574 disabilities regarding possession of firearms and ammunition are
 575 consistent with federal law. Accordingly, this paragraph shall

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576 not apply to a state or local officer as defined in s.
577 943.10(14), holding an active certification, who receives or
578 possesses a firearm or ammunition for use in performing official
579 duties on behalf of the officer's employing agency, unless
580 otherwise prohibited by the employing agency.

581 Section 14. For the purpose of incorporating the amendment
582 made by this act to section 943.10, Florida Statutes, in a
583 reference thereto, subsection (4) of section 782.07, Florida
584 Statutes, is reenacted to read:

585 782.07 Manslaughter; aggravated manslaughter of an elderly
586 person or disabled adult; aggravated manslaughter of a child;
587 aggravated manslaughter of an officer, a firefighter, an
588 emergency medical technician, or a paramedic.—

589 (4) A person who causes the death, through culpable
590 negligence, of an officer as defined in s. 943.10(14), a
591 firefighter as defined in s. 112.191, an emergency medical
592 technician as defined in s. 401.23, or a paramedic as defined in
593 s. 401.23, while the officer, firefighter, emergency medical
594 technician, or paramedic is performing duties that are within
595 the course of his or her employment, commits aggravated
596 manslaughter of an officer, a firefighter, an emergency medical
597 technician, or a paramedic, a felony of the first degree,
598 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

599 Section 15. For the purpose of incorporating the amendment
600 made by this act to section 943.10, Florida Statutes, in a

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601 reference thereto, subsection (3) of section 790.233, Florida
 602 Statutes, is reenacted to read:

603 790.233 Possession of firearm or ammunition prohibited
 604 when person is subject to an injunction against committing acts
 605 of domestic violence, stalking, or cyberstalking; penalties.—

606 (3) It is the intent of the Legislature that the
 607 disabilities regarding possession of firearms and ammunition are
 608 consistent with federal law. Accordingly, this section does not
 609 apply to a state or local officer as defined in s. 943.10(14),
 610 holding an active certification, who receives or possesses a
 611 firearm or ammunition for use in performing official duties on
 612 behalf of the officer's employing agency, unless otherwise
 613 prohibited by the employing agency.

614 Section 16. For the purpose of incorporating the amendment
 615 made by this act to section 984.03, Florida Statutes, in
 616 references thereto, subsection (1) and paragraph (e) of
 617 subsection (37) of section 39.01, Florida Statutes, are
 618 reenacted to read:

619 39.01 Definitions.—When used in this chapter, unless the
 620 context otherwise requires:

621 (1) "Abandoned" or "abandonment" means a situation in
 622 which the parent or legal custodian of a child or, in the
 623 absence of a parent or legal custodian, the caregiver, while
 624 being able, has made no significant contribution to the child's
 625 care and maintenance or has failed to establish or maintain a

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626 substantial and positive relationship with the child, or both.
627 For purposes of this subsection, "establish or maintain a
628 substantial and positive relationship" includes, but is not
629 limited to, frequent and regular contact with the child through
630 frequent and regular visitation or frequent and regular
631 communication to or with the child, and the exercise of parental
632 rights and responsibilities. Marginal efforts and incidental or
633 token visits or communications are not sufficient to establish
634 or maintain a substantial and positive relationship with a
635 child. A man's acknowledgment of paternity of the child does not
636 limit the period of time considered in determining whether the
637 child was abandoned. The term does not include a surrendered
638 infant as described in s. 383.50, a "child in need of services"
639 as defined in chapter 984, or a "family in need of services" as
640 defined in chapter 984. The absence of a parent, legal
641 custodian, or caregiver responsible for a child's welfare, who
642 is a servicemember, by reason of deployment or anticipated
643 deployment as defined in 50 U.S.C. s. 3938(e), may not be
644 considered or used as a factor in determining abandonment. The
645 incarceration, repeated incarceration, or extended incarceration
646 of a parent, legal custodian, or caregiver responsible for a
647 child's welfare may support a finding of abandonment.

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

650 (e) Abandons the child. Within the context of the

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651 definition of "harm," the term "abandoned the child" or
652 "abandonment of the child" means a situation in which the parent
653 or legal custodian of a child or, in the absence of a parent or
654 legal custodian, the caregiver, while being able, has made no
655 significant contribution to the child's care and maintenance or
656 has failed to establish or maintain a substantial and positive
657 relationship with the child, or both. For purposes of this
658 paragraph, "establish or maintain a substantial and positive
659 relationship" includes, but is not limited to, frequent and
660 regular contact with the child through frequent and regular
661 visitation or frequent and regular communication to or with the
662 child, and the exercise of parental rights and responsibilities.
663 Marginal efforts and incidental or token visits or
664 communications are not sufficient to establish or maintain a
665 substantial and positive relationship with a child. The term
666 "abandoned" does not include a surrendered infant as described
667 in s. 383.50, a child in need of services as defined in chapter
668 984, or a family in need of services as defined in chapter 984.
669 The incarceration, repeated incarceration, or extended
670 incarceration of a parent, legal custodian, or caregiver
671 responsible for a child's welfare may support a finding of
672 abandonment.

673 Section 17. For the purpose of incorporating the amendment
674 made by this act to section 984.03, Florida Statutes, in a
675 reference thereto, paragraph (d) of subsection (2) of section

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676 44.1011, Florida Statutes, is reenacted to read:

677 44.1011 Definitions.—As used in this chapter:

678 (2) "Mediation" means a process whereby a neutral third
 679 person called a mediator acts to encourage and facilitate the
 680 resolution of a dispute between two or more parties. It is an
 681 informal and nonadversarial process with the objective of
 682 helping the disputing parties reach a mutually acceptable and
 683 voluntary agreement. In mediation, decisionmaking authority
 684 rests with the parties. The role of the mediator includes, but
 685 is not limited to, assisting the parties in identifying issues,
 686 fostering joint problem solving, and exploring settlement
 687 alternatives. "Mediation" includes:

688 (d) "Dependency or in need of services mediation," which
 689 means mediation of dependency, child in need of services, or
 690 family in need of services matters. Negotiations in dependency
 691 or in need of services mediation are primarily conducted by the
 692 parties. Counsel for each party may attend the mediation
 693 conference and privately communicate with their clients.
 694 However, presence of counsel is not required and, in the
 695 discretion of the mediator and with the agreement of the
 696 parties, mediation may proceed in the absence of counsel unless
 697 otherwise ordered by the court.

698 Section 18. For the purpose of incorporating the amendment
 699 made by this act to section 984.03, Florida Statutes, in a
 700 reference thereto, paragraph (d) of subsection (2) of section

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701 44.102, Florida Statutes, is reenacted to read:

702 44.102 Court-ordered mediation.—

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

704 (d) In circuits in which a dependency or in need of
 705 services mediation program has been established, may refer to
 706 mediation all or any portion of a matter relating to dependency
 707 or to a child in need of services or a family in need of
 708 services.

709 Section 19. For the purpose of incorporating the amendment
 710 made by this act to section 984.03, Florida Statutes, in a
 711 reference thereto, subsection (1) of section 984.04, Florida
 712 Statutes, is reenacted to read:

713 984.04 Early truancy intervention; families in need of
 714 services and children in need of services; procedures and
 715 jurisdiction.—

716 (1) The department shall be responsible for all
 717 nonjudicial proceedings involving voluntary family services for
 718 a family identified as a family in need of services according to
 719 rules established by the department under chapter 120.

720 Section 20. For the purpose of incorporating the amendment
 721 made by this act to section 984.03, Florida Statutes, in a
 722 reference thereto, subsection (1) of section 984.071, Florida
 723 Statutes, is reenacted to read:

724 984.071 Resources and information.—

725 (1) The department shall develop and publish an

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726 information guide that explains the current process under this
727 chapter for obtaining assistance for a child in need of services
728 or a family in need of services and the community services and
729 resources available to parents. The information guide shall be
730 published in a written format for distribution and shall also be
731 published on the department's website. Each information guide
732 shall be reviewed annually and updated as appropriate. The
733 school district shall distribute this information guide to
734 parents of truant children, and to other parents upon request or
735 as deemed appropriate by the school district. In addition, the
736 department shall distribute the information guide to state and
737 local law enforcement agencies. Any law enforcement officer who
738 has contact with the parent of a child who is locked out of the
739 home, who is ungovernable, or who runs away from home shall make
740 the information guide available to the parent.

741 Section 21. For the purpose of incorporating the amendment
742 made by this act to section 984.03, Florida Statutes, in
743 references thereto, subsections (1) and (2) of section 984.10,
744 Florida Statutes, are reenacted to read:

745 984.10 Intake.—

746 (1) Intake shall be performed by the department or the
747 department's authorized agent. A report alleging that a child is
748 from a family in need of services shall be made to the intake
749 office operating in the county in which the child is found or in
750 which the case arose. Any person or agency, including, but not

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751 limited to, the parent, legal guardian, or custodian, the local
 752 school district, a law enforcement agency, or the Department of
 753 Children and Families, having knowledge of the facts may make a
 754 report.

755 (2) A representative of the department shall make a
 756 preliminary determination as to whether the report is complete.
 757 The criteria for the completeness of a report with respect to a
 758 child alleged to be from a family in need of services while
 759 subject to compulsory school attendance shall be governed by s.
 760 984.03. In any case in which the representative of the
 761 department finds that the report is incomplete, the
 762 representative of the department shall return the report without
 763 delay to the person or agency originating the report or having
 764 knowledge of the facts or to the appropriate law enforcement
 765 agency having investigative jurisdiction and request additional
 766 information in order to complete the report.

767 Section 22. For the purpose of incorporating the amendment
 768 made by this act to section 984.03, Florida Statutes, in a
 769 reference thereto, section 984.12, Florida Statutes, is
 770 reenacted to read:

771 984.12 Case staffing; services and treatment related to a
 772 family in need of services.—

773 (1) The appropriate representative of the department shall
 774 request a meeting of the family and child with a case staffing
 775 committee to review the case of any family or child who the

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776 department determines is in need of services if:

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

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

781 (c) The representative of the department needs assistance
782 in developing an appropriate plan for services. The time and
783 place selected for the meeting shall be convenient for the child
784 and family.

785 (2) The composition of the case staffing committee shall
786 be based on the needs of the family and child. It shall include
787 a representative from the child's school district and a
788 representative of the department, and may include the
789 department's authorized agent and a supervisor of the
790 department's contracted provider; a representative from the area
791 of health, mental health, substance abuse, or social services; a
792 representative of the state attorney; a representative of law
793 enforcement; and any person recommended by the child, family, or
794 department. The child and the child's parent, legal guardian, or
795 custodian must be invited to attend the committee meeting.

796 (3) The case staffing committee shall:

797 (a) Identify the family's concerns and contributing
798 factors.

799 (b) Request the family and child to identify their needs
800 and concerns.

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

804 (d) Consider the voluntary family services or other
 805 community services that have been offered and the results of
 806 those services.

807 (e) Identify whether truancy is a concern and evaluate
 808 compliance with the remedial strategies provided pursuant to s.
 809 1003.26.

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

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

814 (a) Statement of the concerns.

815 (b) Needs of the child.

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

817 (d) Measurable objectives that address the identified
 818 problems and needs.

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

820 1. Type of services or treatment.

821 2. Frequency of services or treatment.

822 3. Location.

823 4. Accountable service providers or staff.

824 (f) Timeframes for achieving objectives.

825 (5) Upon receipt of the plan, the child and family shall

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826 | acknowledge their position by accepting or rejecting the
827 | services and provisions in writing. If the plan is accepted, it
828 | shall be implemented as soon as is practicable.

829 | (6) The assigned case manager shall have responsibility
830 | for implementing the plan. The department's authorized agent
831 | shall periodically review the progress towards achieving the
832 | objectives of the plan in order to:

833 | (a) Advise the case staffing committee of the need to make
834 | adjustments to the plan;

835 | (b) Recommend a child in need of services petition be
836 | filed by the department; or

837 | (c) Terminate the case as indicated by successful or
838 | substantial achievement of the objectives of the plan.

839 | (7) The parent, legal guardian, or custodian may convene a
840 | meeting of the case staffing committee. A case staffing
841 | committee meeting requested by a parent, guardian, or legal
842 | custodian must be convened within 7 days, excluding weekends and
843 | legal holidays, after the date the department's representative
844 | receives the request in writing.

845 | (8) Any other member of the committee may convene a
846 | meeting if voluntary family services have been offered and the
847 | services have been rejected by the child or family, or the child
848 | has not made measurable progress toward achieving the service
849 | plan goals, and the member finds that doing so is in the best
850 | interest of the family or child.

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

854 (10) Within 7 days after meeting, the case staffing
 855 committee shall provide the parent, legal guardian, or custodian
 856 with a written report that details the reasons for the
 857 committee's decision to recommend, or decline to recommend, that
 858 the department file a petition alleging that the child is a
 859 child in need of services.

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

862 Section 23. For the purpose of incorporating the amendment
 863 made by this act to section 984.03, Florida Statutes, in a
 864 reference thereto, subsection (3) of section 984.13, Florida
 865 Statutes, is reenacted to read:

866 984.13 Taking a child into custody.—

867 (3) If the child is taken into custody and is delivered to
 868 a shelter, the department's authorized agent shall review the
 869 facts and make such further inquiry as necessary to determine
 870 whether the child shall remain in shelter, receive voluntary
 871 family services that would allow the child alleged to be from a
 872 family in need of services to remain at home, or be released.

873 Section 24. For the purpose of incorporating the amendment
 874 made by this act to section 984.03, Florida Statutes, in a
 875 reference thereto, subsection (23) of section 985.03, Florida

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876 Statutes, is reenacted to read:

877 985.03 Definitions.—As used in this chapter, the term:

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

880 Section 25. For the purpose of incorporating the amendment
881 made by this act to section 984.09, Florida Statutes, in a
882 reference thereto, subsection (33) of section 984.03, Florida
883 Statutes, is reenacted to read:

884 984.03 Definitions.—When used in this chapter, the term:

885 (33) "Shelter" means a department-approved shelter
886 facility for the temporary care of runaway children; for
887 children placed for voluntary shelter respite upon request of
888 the child or the child's parent, legal guardian, or custodian;
889 or for placement of a child who has been adjudicated a child in
890 need of services or who has been found in contempt of court
891 under s. 984.09. Shelters must provide 24-hour continual
892 supervision. A shelter must be licensed by the Department of
893 Children and Families as a licensed child-caring agency.

894 Section 26. For the purpose of incorporating the amendment
895 made by this act to section 984.09, Florida Statutes, in a
896 reference thereto, subsection (1) of section 984.07, Florida
897 Statutes, is reenacted to read:

898 984.07 Right to counsel; waiver; appointed counsel;
899 compensation.—

900 (1) When a petition is filed alleging that a child is a

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901 child in need of services or if the child is subject to contempt
902 proceedings under s. 984.09, the child must be represented by
903 counsel at each court appearance. The court must appoint counsel
904 unless the child is not indigent and has counsel present to
905 represent the child or the record in that proceeding
906 affirmatively demonstrates by clear and convincing evidence that
907 the child knowingly and intelligently waived the right to
908 counsel after being fully advised by the court of the nature of
909 the proceedings and the dispositional alternatives available to
910 the court. If the child waives counsel at any proceeding, the
911 court shall advise the child with respect to the right to
912 counsel at every subsequent hearing.

913 Section 27. For the purpose of incorporating the amendment
914 made by this act to section 984.09, Florida Statutes, in a
915 reference thereto, subsection (12) of section 984.151, Florida
916 Statutes, is reenacted to read:

917 984.151 Early truancy intervention; truancy petition;
918 judgment.—

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

922 Section 28. This act shall take effect upon becoming a
923 law.