

By Senator Davis

5-00893A-26

20261488

A bill to be entitled

An act relating to booking officer duties related to minor children of arrested persons; providing a short title; creating s. 901.45, F.S.; providing definitions; requiring a booking officer to ask certain questions of arrested persons during the booking process and take certain actions related to the arrested person's minor children; providing an effective date.

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

Section 1. This act may be cited as the "Child Protection at Time of Parental Arrest Act."

Section 2. Section 901.45, Florida Statutes, is created to read:

901.45 Booking officer duties related to minor children of arrested persons.—

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

(a) "Guardian" means a parent, relative, caregiver, or other person legally designated by a court to be responsible for the safety and welfare of a minor child.

(b) "Minor child" means an unmarried person under the age of 18 years who has not been emancipated by order of the court and who is the legal or biological child of an arrested person.

(2) In addition to any other duty, whenever a booking officer is committing an arrested person to custody, the booking officer must ask the arrested person if he or she has a minor child.

5-00893A-26

20261488

30 (3) If the arrested person states that he or she has a
31 minor child, the booking officer must ask the person, in the
32 same or similar wording, the following questions, and take the
33 following actions:

34 (a) Is the minor child safe with a responsible guardian?
35 (b) Do I need to contact someone to confirm the care of the
36 minor child?

37 (c) Verify the minor child's safety and current placement
38 or location.

39 (d) Notify the central abuse hotline, if the booking
40 officer determines that the minor child is unprotected and at
41 risk of or vulnerable to abuse, abandonment, or neglect, or is
42 without a responsible guardian.

43 (4) If the arrested person states that he or she does not
44 have a minor child, but a previous arrest record states that a
45 minor child lives with the person, the booking officer may
46 contact the central abuse hotline and request an immediate
47 protective investigation.

48 Section 3. This act shall take effect July 1, 2026.