



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/15/2026	.	
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The Appropriations Committee on Criminal and Civil Justice (Leek) recommended the following:

1 **Senate Amendment**

2

3 Delete lines 34 - 151

4 and insert:

5 who is engaged in the performance of his or her official duties
6 as described in s. 943.10(1) ~~execution of a legal duty~~, if the
7 law enforcement officer was acting in good faith and he or she
8 is known, or reasonably appears, to be a law enforcement
9 officer. As used in this section, the term "acting in good
10 faith" means to make sincere and reasonable efforts to comply



11 with legal requirements, even if the arrest, detention, or other
12 act is later found to have been unlawful.

13 ~~(2) A law enforcement officer, or any person whom the~~
14 ~~officer has summoned or directed to assist him or her, is not~~
15 ~~justified in the use of force if the arrest or execution of a~~
16 ~~legal duty is unlawful and known by him or her to be unlawful.~~

17 Section 3. Section 782.065, Florida Statutes, is amended to
18 read:

19 782.065 Murder; law enforcement officer, correctional
20 officer, correctional probation officer.—Notwithstanding ss.
21 775.082, 775.0823, 782.04, 782.051, and chapter 921, a defendant
22 must ~~shall~~ be sentenced to life imprisonment without eligibility
23 for release upon findings by the trier of fact that, beyond a
24 reasonable doubt:

25 (1) The defendant committed murder in the first degree in
26 violation of s. 782.04(1) and a death sentence was not imposed;
27 murder in the second or third degree in violation of s.
28 782.04(2), (3), or (4); attempted murder in the first or second
29 degree in violation of s. 782.04(1)(a)1. or (2); ~~or~~ attempted
30 felony murder in violation of s. 782.051; or manslaughter in
31 violation of s. 782.07(1); and

32 (2) The victim of any offense described in subsection (1)
33 was a law enforcement officer, part-time law enforcement
34 officer, auxiliary law enforcement officer, correctional
35 officer, part-time correctional officer, auxiliary correctional
36 officer, correctional probation officer, part-time correctional
37 probation officer, or auxiliary correctional probation officer,
38 as those terms are defined in s. 943.10, who was engaged in the
39 performance of his or her official duties as described in s.



40 ~~943.10 lawful performance of a legal duty.~~

41 Section 4. Paragraph (e) of subsection (1) and subsection
42 (2) of section 784.07, Florida Statutes, are amended to read:

43 784.07 Assault or battery of law enforcement officers and
44 other specified personnel; reclassification of offenses; minimum
45 sentences.—

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

47 (e) "Law enforcement officer" includes a law enforcement
48 officer, a correctional officer, a correctional probation
49 officer, a part-time law enforcement officer, a part-time
50 correctional officer, an auxiliary law enforcement officer, and
51 an auxiliary correctional officer, as those terms are
52 respectively defined in s. 943.10, and any county probation
53 officer; an employee or agent of the Department of Corrections
54 who supervises or provides services to inmates; an officer of
55 the Florida Commission on Offender Review; a federal law
56 enforcement officer as defined in s. 901.1505; and law
57 enforcement personnel of the Fish and Wildlife Conservation
58 Commission, the Department of Environmental Protection, or the
59 Department of Law Enforcement. The duties and responsibilities
60 of these respective positions are described in s. 943.10.

61 (2) Whenever any person is charged with knowingly
62 committing an assault or battery upon a law enforcement officer,
63 a firefighter, an emergency medical care provider, hospital
64 personnel, a railroad special officer, a traffic accident
65 investigation officer as described in s. 316.640, a nonsworn law
66 enforcement agency employee who is certified as an agency
67 inspector, a blood alcohol analyst, or a breath test operator
68 while such employee is in uniform and engaged in processing,



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69 testing, evaluating, analyzing, or transporting a person who is
70 detained or under arrest for DUI, a law enforcement explorer, a
71 traffic infraction enforcement officer as described in s.
72 316.640, a parking enforcement specialist as defined in s.
73 316.640, a person licensed as a security officer as defined in
74 s. 493.6101 and wearing a uniform that bears at least one patch
75 or emblem that is visible at all times that clearly identifies
76 the employing agency and that clearly identifies the person as a
77 licensed security officer, a security officer employed by the
78 board of trustees of a community college, or a utility worker
79 engaged in work on critical infrastructure as defined in s.
80 812.141(1), while the officer, firefighter, emergency medical
81 care provider, hospital personnel, railroad special officer,
82 traffic accident investigation officer, traffic infraction
83 enforcement officer, inspector, analyst, operator, law
84 enforcement explorer, parking enforcement specialist, public
85 transit employee or agent, security officer, or utility worker
86 is engaged in the ~~lawful~~ performance of his or her official
87 duties, the offense for which the person is charged shall be
88 reclassified as follows:

89 (a) In the case of assault, from a misdemeanor of the
90 second degree to a misdemeanor of the first degree.

91 (b) In the case of battery, from a misdemeanor of the first
92 degree to a felony of the third degree. Notwithstanding any
93 other provision of law, a person convicted of battery upon a law
94 enforcement officer committed in furtherance of a riot or an
95 aggravated riot prohibited under s. 870.01 shall be sentenced to
96 a minimum term of imprisonment of 6 months.

97 (c) In the case of aggravated assault, from a felony of the



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98 third degree to a felony of the second degree. Notwithstanding
99 any other provision of law, any person convicted of aggravated
100 assault upon a law enforcement officer shall be sentenced to a
101 minimum term of imprisonment of 3 years.

102 (d) In the case of aggravated battery, from a felony of the
103 second degree to a felony of the first degree. Notwithstanding
104 any other provision of law, any person convicted of aggravated
105 battery of a law enforcement officer shall be sentenced to a
106 minimum term of imprisonment of 5 years.

107 Section 5. Subsection (1) of section 843.01, Florida
108 Statutes, is amended to read:

109 843.01 Resisting, obstructing, or opposing by offering or
110 doing violence to legally authorized person, police canine, or
111 police horse.—

112 (1) Whoever knowingly and willfully resists, obstructs, or
113 opposes any officer as defined in s. 943.10(1), (2), (3), (6),
114 (7), (8), or (9); member of the Florida Commission on Offender
115 Review or any administrative aide or supervisor employed by the
116 commission; parole and probation supervisor; county probation
117 officer; personnel or representative of the Department of Law
118 Enforcement; or other person legally authorized to execute
119 process in the execution of legal process or engaged in the
120 performance of his or her official duties as described in s.
121 943.10 lawful execution of any legal duty, by offering or