

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

Committee/Subcommittee hearing bill: Criminal Justice
Subcommittee

Representative Baker offered the following:

Amendment

Remove lines 34-149 and insert:

who is engaged in the performance of his or her official duties
as described in s. 943.10(1) ~~who is engaged in the execution of~~
~~a legal duty~~, if the law enforcement officer was acting in good
faith and he or she is known, or reasonably appears, to be a law
enforcement officer. As used in this section, the term "acting
in good faith" means to make sincere and reasonable efforts to
comply with legal requirements, even if the arrest, detention,
or other act is later found to have been unlawful.

~~(2) A law enforcement officer, or any person whom the~~
~~officer has summoned or directed to assist him or her, is not~~

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~~justified in the use of force if the arrest or execution of a
legal duty is unlawful and known by him or her to be unlawful.~~

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

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

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

(2) The victim of any offense described in subsection (1)
was a law enforcement officer, part-time law enforcement
officer, auxiliary law enforcement officer, correctional
officer, part-time correctional officer, auxiliary correctional
officer, correctional probation officer, part-time correctional
probation officer, or auxiliary correctional probation officer,
as those terms are defined in s. 943.10, who was engaged in the

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performance of his or her official duties as described in s.
943.10 ~~engaged in the lawful performance of a legal duty.~~

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

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

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

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

(2) Whenever any person is charged with knowingly
committing an assault or battery upon a law enforcement officer,
a firefighter, an emergency medical care provider, hospital

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

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90 offense for which the person is charged shall be reclassified as
91 follows:

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

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

100 (c) In the case of aggravated assault, from a felony of
101 the third degree to a felony of the second degree.
102 Notwithstanding any other provision of law, any person convicted
103 of aggravated assault upon a law enforcement officer shall be
104 sentenced to a minimum term of imprisonment of 3 years.

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

110 **Section 5. Subsection (1) of section 843.01, Florida**
111 **Statutes, is amended to read:**

112 843.01 Resisting, obstructing, or opposing by offering or
113 doing violence to legally authorized person, police canine, or
114 police horse.—

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 17 (2026)

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