

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: SB 1734

INTRODUCER: Senator Martin

SUBJECT: Juvenile Justice

DATE: January 23, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Parker</u>	<u>Stokes</u>	<u>CJ</u>	<u>Pre-meeting</u>
2.	_____	_____	<u>ACJ</u>	_____
3.	_____	_____	<u>FP</u>	_____

I. Summary:

SB 1734 amends multiple statutes relating to Juvenile Detention Officers and Juvenile Probation Officers. Specifically, the bill amends:

- Section 14.33, F.S., to add juvenile detention officers and juvenile probation officers to the list of persons that the governor may award a Medal of Heroism.
- Sections 112.19 and 112.193, F.S., to include in the definition of “Law enforcement, correctional, or correctional probation officer” juvenile detention officers and juvenile probation officers. Expanding the definition of law enforcement will allow juvenile detention officers and juvenile probation officers to receive the same death benefits and commemorative service awards as other officers.
- Section 112.194, F.S., to authorize any state board, commission, department, division, bureau, or agency, or any county or municipality that employs or appoints juvenile detention officers or juvenile probation officers to establish a Medal of Valor award program.
- Section 787.035, F.S., to exempt the Department of Juvenile Justice (DJJ) from the prohibition against sheltering an unmarried minor without the consent of the minor’s parent or guardian or without notifying a law enforcement officer.
- Section 943.10 F.S., to include Juvenile Detention Officer and Juvenile Probation Officer in the definition of “officer” and defines:
 - “Officer” to mean any person employed or appointed as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, correctional probation officer, juvenile detention officer, or juvenile probation officer.
 - “Juvenile detention officer” to mean an officer who is responsible for the direct supervision of youth who are held in secure detention.
 - “Juvenile probation officer” means an authorized agent of the DJJ who performs the intake case management, or supervision functions.
- Section 984.03, F.S., to revise the definition for the term “Family in need of services” to include legal guardians.

- Section 984.09, F.S., to provide that a child “subject to shelter placement proceedings” may only be placed in a shelter under certain circumstances, rather than a child “adjudicated in need of services.”

The bill may have a positive indeterminate fiscal impact. *See Section V., Fiscal Impact Statement.*

The bill takes effect on July 1, 2026.

II. Present Situation:

Commemorative Service Awards

Section 112.193, F.S., provides specific guidelines for the commemorative service awards for law enforcement officers who retire, resign from position to accept an elected public office, or are killed in the line of duty. Each badge, service handgun, and identification card presented is to commemorate prior service.

Each employer that employs or appoints law enforcement, correctional, or correctional probation officers may present to each such employee who retires under any provision of a state or municipal retirement system, including medical disability retirement, or who is eligible to retire under any such provision but, instead, resigns from one employer to accept an elected public office:

- One completed uniform including the badge worn by that officer;
- The officer’s service handgun, if one was issued as part of the officer’s equipment; and
- An identification card clearly marked “RETIRED.”¹

Upon the death of a law enforcement, correctional, or correctional probation officer, the employer may present to the spouse or other beneficiary of the officer, upon request:

- One complete uniform, including the badge worn by the officer.²
- If a law enforcement, correctional, or correctional probation officer is killed in the line of duty, the employer may present, upon request to the spouse or other beneficiary of the officer:
- The officer’s service-issued handgun, if one was issued as part of the officer’s equipment.³

If the employer is not in possession of the service-issued handgun, the employer may, within its discretion, and upon written request of the spouse or other beneficiary, present a similar handgun. In the instance that a law enforcement or correctional officer died before May 1, 1993, the above provisions apply, in addition, the officer’s service handgun may be presented by the employer for any such officer who was killed in the line of duty prior to the act becoming law.⁴

¹ Section 112.193(2), F.S.

² Section 112.193(3), F.S.

³ *Id.*

⁴ *Id.*

Medal of Heroism

The Governor may award a Medal of Heroism to law enforcement officers, correctional officers, or correctional probation officers, firefighters, and emergency medical technicians, or paramedics. A recipient must have distinguished himself or herself conspicuously by gallantry and intrepidity, must have risked his or her life deliberately above and beyond the call of duty while performing duty in his or her respective position, and must have engaged in hazardous or perilous activities to preserve lives with the knowledge that such activities might result in great personal harm.⁵

A candidate or person seeking to nominate a candidate for the award must make written application to the Governor. The Governor may refer an application to any public or private entity for advice and recommendations regarding the application.⁶

Medal of Valor

Any state board, commission, department, division, bureau, or agency, or any county or municipality that employs or appoints law enforcement officers or correctional officers and 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.⁷

The Medal of Valor may include, but is not limited to, a medal authorized to be worn on the officer's uniform during formal occasions and a commendation bar to be worn on the uniform during normal duty. The amount of funds that may be expended to provide a Medal of Valor must not exceed \$250.⁸

Upon the death of such a law enforcement officer or correctional officer, the employer may present the Medal of Valor posthumously to the officer's closest living relative.

Death Benefits for Law Enforcement Officers

Accidental death or bodily injury

The sum of \$75,000 must be paid as provided in this section when a law enforcement, correctional, or correctional probation officer, while engaged in the performance of the officer's law enforcement duties, is accidentally killed or receives accidental bodily injury which results in the loss of the officer's life, provided that such killing is not the result of suicide and that such bodily injury is not intentionally self-inflicted.⁹

The sum of \$75,000 must be paid as provided if a law enforcement, correctional, or correctional probation officer is accidentally killed and the accidental death occurs:

- As a result of the officer's response to fresh pursuit;¹⁰

⁵ Section 14.33(1), F.S.

⁶ Section 14.33(2), F.S.

⁷ Section 112.194(1), F.S.

⁸ Section 112.194(2), F.S.

⁹ Section 112.19(2)(a), F.S.

¹⁰ Section 112.19(2)(b)1., F.S.

- As a result of the officer's response to what is reasonably believed to be an emergency;¹¹
- At the scene of a traffic accident to which the officer has responded;¹² or
- While the officer is enforcing what is reasonably believed to be a traffic law or ordinance.¹³

Death in the line of duty

If an officer is killed in the line of duty, additional sums are paid in addition to any workers' compensation or retirement plan benefits and are exempt from creditor claims.¹⁴

If a law enforcement, correctional, or correctional probation officer, while engaged in the performance of the officer's law enforcement duties, is unlawfully and intentionally killed or dies as a result of such unlawful and intentional act, the sum of \$225,000 must be paid,¹⁵ whether secured by insurance or not, must be made to the beneficiary designated by such law enforcement, correctional, or correctional probation officer in writing, signed by the officer and delivered to the employer during the officer's lifetime. If no such designation is made, then the payments must be paid to the officer's surviving child or children and to the officer's surviving spouse in equal portions, and if there is no surviving child or spouse, then to the officer's parent or parents. If a beneficiary is not designated and there is no surviving child, spouse, or parent, then the sum must be paid to the officer's estate.¹⁶

If a full-time law enforcement, correctional, or correctional probation officer who is certified and employed by a state is killed in the line of duty while the officer is engaged in the performance of law enforcement duties or as a result of an assault against the officer under riot conditions:

- The sum of \$10,000 must be paid toward the funeral and burial expenses of such officer. Such benefits are in addition to any other benefits to which employee beneficiaries and dependents are entitled under the Workers' Compensation Law or any other state or federal statutes;¹⁷ and
- The officer's employing agency may pay up to \$5,000 directly toward the venue expenses associated with the funeral and burial services of such officer.¹⁸

Dependent benefits

Any division of the state that employs a full-time law enforcement officer or a full-time correctional officer who is killed in the line of duty on or after July 1, 1993, as a result of an act of violence inflicted by another person while the officer is engaged in the performance of law enforcement duties or as a result of an assault against the officer under riot conditions must pay the entire premium of the political subdivision's health insurance plan for the employee's surviving spouse until remarried, and for each dependent child of the employee until the child reaches the age of majority or until the end of the calendar year in which the child reaches the age of 25 if:

¹¹ Section 112.19(2)(b)2., F.S.

¹² Section 112.19(2)(b)3., F.S.

¹³ Section 112.19(2)(b)4., F.S.

¹⁴ Section 112.19(2)(e), F.S.

¹⁵ Section 112.19(2)(c), F.S.

¹⁶ Section 112.19(2)(d), F.S.

¹⁷ Section 112.19(2)(f)1., F.S.

¹⁸ Section 112.19(2)(f)2., F.S.

- At the time of the employee’s death, the child is dependent upon the employee for support;¹⁹ and
- The surviving child continues to be dependent for support, or the surviving child is a full-time or part-time student and is dependent for support.²⁰

Catastrophic injury

Any employer who employs a full-time law enforcement, correctional, or correctional probation officer who, on or after January 1, 1995, suffers a catastrophic injury in the line of duty must pay the entire premium of the employer’s health insurance plan for the injured employee, the injured employee’s spouse, and for each dependent child of the injured employee until the child reaches the age of majority or until the end of the calendar year in which the child reaches the age of 25 if the child continues to be dependent for support, or the child is a full-time or part-time student and is dependent for support.²¹

DJJ Youth Services

Family in Need of Services

Chapter 984, F.S., establishes the processes for providing status offenders with voluntary and involuntary intervention services, through court order. Voluntary family services to families in need must be by voluntary agreement of the parent or legal guardian and the child or pursuant to a court order. Family in need of services are programs that are open to children ages 6-17 years old and their families to provide support and counseling programs to prevent runaways, habitual truancy, homelessness, and ungovernable behavior.²²

Section 984.03, F.S., specifies that a “Family in need of services” means a family that has a child who is running away; who is ungovernable and persistently disobeying reasonable and lawful demands of the parent or legal custodian and is beyond the control of the parent or legal custodian; or who is a habitual truant or engaging in other serious behaviors that place the child at risk of future abuse, neglect, or abandonment or at risk of entering the juvenile justice system. The child must be referred to a law enforcement agency, the department, or an agency contracted to provide services to children in need of services. A family is not eligible to receive voluntary family services if, at the time of the referral, the child is currently under court-ordered supervision by the DJJ for delinquency or under court-ordered supervision by the Department of Children and Families (DCF).

Placement in Shelter

A shelter is a place for temporary care for a child alleged to be dependent, a child from a family in need of services, or a child in need of services, pending court disposition before or after execution of a court order. Shelter placements may be either voluntary or involuntary, and if a bed is not available, a youth is placed on a waiting list until one becomes available. Through the

¹⁹ Section 112.19(2)(g)1., F.S.

²⁰ Section 112.19(2)(g)2., F.S.

²¹ Section 112.19(2)(h)1., F.S.

²² Florida Network of youth and family services *CINS/FINS Shelter Services* available at https://floridanetwork.org/wp-content/uploads/2024/12/FN_Brochure_ENG_WITH-UPDATES_12.2.2023.pdf (last visited on January 20, 2026).

involuntary shelter hearing court process, placement may be made to provide an opportunity for the child and family to come to an agreement for the return of the child to their home. Shelter placement may also be necessary because the parent is unable to take immediate custody of the child or through a child being held in contempt by a truancy court.²³

Section 984.09, F.S., provides that it is the legislative intent to restrict and limit the use of contempt powers and prohibit the use of detention care and secure detention facilities, specifying that the court must use alternative sanctions first and may only place a child in a secure setting if alternative sanctions are unavailable or inappropriate, or if the child has previously been found in contempt of court and failed to comply with an assigned alternative sanction.

Sheltering unmarried minors

Section 787.035, F.S., specifies that a person who is not an authorize agent of the DJJ or the DCF may not knowingly shelter an unmarried minor for more then 24 hours without the consent of the minor's parent or guardian or without notifying a law enforcement officer of the minor's name and the fact that the minor is being provided shelter.

A person may not knowingly provide aid to an unmarried minor who has run away from home without first contacting the minor's parent or guardian or notifying a law enforcement officer.²⁴

III. Effect of Proposed Changes:

The bill amends multiple statutes relating to Juvenile Detention Officers and Juvenile Probation Officers. Specifically, the bill amends:

- Section 14.33, F.S., to add juvenile detention officers and juvenile probation officers to the list of law enforcement officers that the Governor may award a Medal of Heroism.
- Sections 112.19 and 112.193, F.S., to add juvenile detention officers and juvenile probation officers to the definition for "law enforcement, correctional, or correctional probation officers" for purposes of death benefits and commemorative service awards. Expanding the definition of law enforcement will allow juvenile detention officers and juvenile probation officers to receive the same death benefits and commemorative service awards as other officers.
- Section 112.194, F.S., to authorize any state board, commission, department, division, bureau, or agency, or any county or municipality that employs or appoints juvenile detention officers or juvenile probation officers to 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. This provision currently exists for law enforcement officers and correctional officers.
- Section 787.035, F.S., to exempt the DJJ from the prohibition against sheltering an unmarried minor without the consent of the minor's parent or guardian or without notifying a law enforcement officer. A person who is not an authorized agent of the DJJ or the DCF 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 minor's name and the fact that the minor is being provided shelter.

²³ Section 984.09, F.S.

²⁴ Section 787.035(1)(b), F.S.

- Section 943.10 F.S., to include Juvenile Detention Officers and Juvenile Probation Officers in the definition of “officer” and defines:
 - “Officer” to mean any person employed or appointed as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, correctional probation officer, juvenile detention officer, or juvenile probation officer.
 - “Juvenile detention officer” to mean an officer who is responsible for the direct supervision of youth who are held in secure detention.
 - “Juvenile probation officer” means an authorized agent of the DJJ who performs the intake case management, or supervision functions.
- Section 984.03, F.S., revising the definition for the term “Family in need of services” to include legal guardians.
- Section 984.09, F.S., to provide that a child “subject to shelter placement proceedings” may only be placed in a shelter under certain circumstances, rather than a child adjudicated in need of services. A child subject to proceedings under ch. 984, F.S., may only be placed in a shelter for purposes of punishment for contempt of court if alternative sanctions are unavailable or inappropriate, or if the child has already been ordered to serve an alternative sanction but failed to comply with the sanction.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 14.33, 112.19, 112.193, 112.194, 787.035, 943.10, 984.03, and 984.09.

This bill reenacts the following sections of the Florida Statutes: 112.1912, 384.287, 493.6102, 741.31, 782.07, 790.233, 39.01, 44.1011, 44.102, 984.04, 984.071, 984.10, 984.12, 984.13, 985.03, 984.07, 984.151.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.