

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

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BILL #: [CS/HB 83](#)

TITLE: Booking Officer Duties Related to Minor Children of Arrested Persons

SPONSOR(S): Woodson

COMPANION BILL: [SB 1488](#) (Davis)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Criminal Justice](#)

15 Y, 0 N, As CS

SUMMARY

Effect of the Bill:

The bill requires a booking officer at a county detention facility to ask an arrested person if he or she is the guardian of a minor child and, if such person is a guardian, requires the booking officer to ask such person specified questions to determine whether the minor child is safe and with a responsible guardian, and also requires the officer to verify such information. The bill also requires the booking officer to contact the Department of Children and Families' central abuse hotline if the officer knows or suspects that the minor child is in need of supervision or care.

Fiscal or Economic Impact:

There may be an indeterminate fiscal impact to state and local governments to implement the bill, however such costs are likely to be absorbed within existing resources.

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ANALYSIS

EFFECT OF THE BILL:

The bill requires a booking officer in a [county detention facility](#), when committing an arrested person to custody, to ask such person if he or she is the guardian of a minor child. Under the bill, if the arrested person states that he or she is the guardian of a minor child, the booking officer must ask the arrested person, in the same or similar wording, the following:

- Is the minor child safe with a responsible guardian?
- Do I need to contact someone to confirm the care of the minor child? (Section [2](#))

The bill also requires the booking officer to verify the minor child's safety and current placement or location. The bill requires the booking officer to contact the [Department of Children and Families' \(DCF\) central abuse hotline](#) if he or she knows or suspects that a minor child is in need of supervision and care and has no guardian or responsible adult who is immediately known and able to provide such supervision and care. (Section [2](#))

The bill defines the following terms:

- "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.
- "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. (Section [2](#))

The act is named the "Child Protection at Time of Parental Arrest Act." (Section [1](#))

The effective date of the bill is July 1, 2026. (Section [3](#))

STORAGE NAME: h0083.CRM

DATE: 2/12/2026

FISCAL OR ECONOMIC IMPACT:**STATE GOVERNMENT:**

The bill may result in an indeterminate increase in the number of calls to the central abuse hotline, which may increase DCF's workload, however, the costs associated with any increase in workload will likely be absorbed within existing resources.

LOCAL GOVERNMENT:

The bill may result in an increased workload to booking officers at county detention facilities, however, the costs associated with any increase in workload will likely be absorbed within existing resources.

RELEVANT INFORMATION**SUBJECT OVERVIEW:****County Detention Facility – Booking Procedure**

Generally, after a law enforcement officer arrests a person for committing a crime, the law enforcement officer takes the person to a county detention facility¹ (i.e. county jail). Upon the person's arrival at the detention facility, a booking officer collects specified identifying and demographic information about the arrested person,² information related to the crime for which he or she was arrested, and takes custody of any property the person had in his or her possession at the time of arrest.³ This information, along with the person's photograph and fingerprints, are combined into the person's inmate record, which is updated and maintained until he or she is released from the detention facility.⁴

Mandatory Reporting of Child Abuse**Department of Children and Families' Central Abuse Hotline**

The Department of Children and Families (DCF) is required to operate and maintain a central abuse hotline that accepts reports 24 hours a day, 7 days a week, of known or suspected child abuse, abandonment, or neglect, as well as, reports that a child needs supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide such supervision and care. A person reporting to the hotline may make a report in writing, through a statewide toll-free telephone number, or through electronic reporting.⁵

The central abuse hotline must be operated in a manner to enable DCF to, among other things:

- Accept reports for investigation when there is reasonable cause to suspect that a child has been or is being abused or neglected or has been abandoned.
- Determine whether the allegations made by the reporter require an immediate response or a 24-hour response.
- Immediately identify and locate previous reports or cases of child abuse, abandonment, or neglect through the use of DCF's automated tracking system.

¹ A "county detention facility" means a county jail, a county stockade, a county work camp, a county residential probation center, and any other place except a municipal detention facility used by a county or county officer for the detention of persons charged with or convicted of a felony or a misdemeanor, regardless of whether such facility is operated by a board of county commissioners, a sheriff, or any other entity. [S. 951.23\(1\)\(a\), F.S.](#)

² The 2026 Florida Model Jail Standards, which contain the minimum standards that each sheriff, county, or other entity that operates a county detention facility is required to adopt under [s. 951.23\(4\)\(b\), F.S.](#), requires a booking officer to collect information about an arrestee's marital status and next of kin, but does not appear to require the officer to ask the arrestee whether he or she has a child. Florida Sheriffs Association, *Florida Model Jail Standards*, [Florida Model Jail Standards - 2026](#) (last visited Feb. 12, 2026).

³ *Id.*

⁴ *Id.*

⁵ [S. 39.101\(1\)\(a\), F.S.](#)

- Track critical steps in the investigative process to ensure compliance with all requirements for any report or case of abuse, abandonment, or neglect.⁶

After the central abuse hotline receives a report, DCF must determine the timeframe within which to initiate an investigation. Generally, DCF must commence an investigation:

- Immediately, regardless of the time of day or night, if it appears that:
 - The immediate safety or well-being of a child is endangered;
 - The family may flee or the child may be unavailable for purposes of conducting a child protective investigation; or
 - The facts reported to the hotline otherwise warrant such action.
- Within 24 hours of receiving a report.⁷

Mandatory Reports

[Section 39.201, F.S.](#), requires any person who knows or has reasonable cause to suspect that child abuse, including sexual abuse, abandonment, or neglect has occurred to immediately report such knowledge or suspicion to the DCF central abuse hotline.⁸ While a member of the general public may make such a report anonymously, any person whose profession is in any of the following categories must provide his or her name along with the report:

- Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care, or treatment of persons.
- Health care professional or mental health professional other than those above listed.
- Practitioner who relies solely on spiritual means for healing.
- School teacher or other school official or personnel.
- Social worker, day care center worker, or other professional child care worker, foster care worker, residential worker, or institutional worker.
- Law enforcement officer.
- Judge.
- Animal control officer or certain other agents appointed to investigate cruelty to children or animals.⁹

Any such person who is required to provide his or her name along with the report, shall have his or her name held confidential and exempt from public record disclosure.¹⁰

Mandatory Reporting- Penalties

[Section 39.205, F.S.](#), prohibits a person from knowingly and willfully failing to report to the central abuse hotline known or suspected child abuse, abandonment, or neglect, or knowingly and willfully preventing another person from doing so. A violation of the prohibition is punishable as a third-degree felony.¹¹

Immunity from Liability

[Section 39.203, F.S.](#), provides immunity to any person, official, or institution who reports in good faith any instance of child abuse, abandonment, or neglect to DCF or to any law enforcement agency from any civil or criminal liability that might otherwise arise from such action.¹²

⁶ [S. 39.101\(1\)\(b\), F.S.](#)

⁷ [S. 39.101\(2\), F.S.](#)

⁸ [S. 39.201\(1\)\(a\), F.S.](#)

⁹ [S. 39.201\(1\)\(b\), F.S.](#)

¹⁰ [Ss. 39.201\(1\)\(c\), F.S.](#) and [39.202, F.S.](#)

¹¹ A third-degree felony is punishable by a term of up to five years' imprisonment and a fine of \$5,000. [Ss. 775.082, 775.083](#), or [775.084, F.S.](#)

¹² [S. 39.203\(1\)\(a\), F.S.](#)

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Criminal Justice Subcommittee	15 Y, 0 N, As CS	2/12/2026	Hall	Padgett

THE CHANGES ADOPTED BY THE
COMMITTEE:

- Removed a requirement for an arresting officer to ask specified questions related to the safety of a minor child, and instead required a booking officer to ask such questions.
- Removed provisions related to law enforcement officer training.

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.
