

CS/HB 83

2026

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.; defining the terms "guardian" and "minor child"; requiring a booking officer to ask certain questions of arrested persons during the booking process and take certain actions relating 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 relating to minor children of arrested persons.-

(1) As used in 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.

26 (2) In addition to any other duty, when a booking officer
27 is committing an arrested person to custody, the booking officer
28 must ask the arrested person if he or she is the guardian of a
29 minor child.

30 (3) If the arrested person states that he or she is the
31 guardian of a minor child, the booking officer must ask the
32 person, in the same or similar wording, the following questions
33 and take the 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
36 the 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 knows or suspects that the minor child is in need of
41 supervision and care and has no guardian or responsible adult
42 who is immediately known and available to provide such
43 supervision and care.

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