

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [CS/CS/HB 849](#)

TITLE: Department of Law Enforcement

SPONSOR(S): Abbott

COMPANION BILL: [SB 524](#) (Simon)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Criminal Justice](#)

15 Y, 0 N, As CS

[Justice Budget](#)

13 Y, 0 N

[Judiciary](#)

16 Y, 0 N, As CS

SUMMARY

Effect of the Bill:

The bill makes several changes related to the Florida Department of Law Enforcement (FDLE), including:

- Authorizing FDLE to adopt rules to implement the Florida Medal of Valor and Florida Blue/Red Heart Medal programs;
- Revising the appointment procedures for district medical examiners;
- Authorizing an organ procurement organization, eye bank, or tissue bank, in order to facilitate an anatomical gift or transplantation, to view or copy specified autopsy reports;
- Requiring law enforcement agencies to capture and submit to FDLE fingerprint records of qualifying offenders who are in custody and subject to an immigration detainer, and requiring FDLE to create a record containing such person's immigration detainer information;
- Authorizing FDLE to administratively expunge immigration detainer records if a person was detained contrary to law or by mistake;
- Clarifying that the Criminal Justice Professionalism Program within FDLE is responsible for providing staff support to the Criminal Justice Standards and Training Commission (CJSTC);
- Specifying the method of service that FDLE is required to use when providing administrative complaints to specified officers and instructors; and
- Specifying that the CJSTC, rather than FDLE, is responsible for establishing certain training courses for law enforcement officers and correctional officers.

Fiscal or Economic Impact:

The bill may have an insignificant positive impact fiscal impact.

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ANALYSIS

EFFECT OF THE BILL:

Florida Medal of Valor and Florida Blue/Red Heart Medal

The bill, effective upon becoming law, authorizes the Florida Department of Law Enforcement (FDLE) to adopt rules to implement the Florida Medal of Valor and Florida Blue/Red Heart Medal programs. (Section [1](#))

Medical Examiners

The bill specifies that the term for an appointee or reappointee to the Medical Examiners Commission (MEC) is considered in force until the appointee resigns or no longer qualifies for the position or until the Governor appoints a new member. The bill also authorizes the MEC, rather than the Governor, to appoint district medical examiners by a majority vote and authorizes a physician member of the MEC to also serve as a district medical examiner upon appointment by the MEC, rather than the Governor. (Sections [2](#) and [3](#))

Autopsy Reports

STORAGE NAME: h0849d.JDC

DATE: 2/10/2026

The bill authorizes a medical examiner, in order to facilitate an anatomical gift or transplantation, to allow an organ procurement organization, an eye bank, or a tissue bank, to view or copy an autopsy report that would otherwise be exempt from disclosure as a public record, of:

- A minor whose death was related to an act of domestic violence; or
- A person whose manner of death was determined by the medical examiner to be an act of suicide.

The bill requires the request to view the autopsy report to be made in writing and also requires that it contain proof of the intent of the deceased, the deceased's family, or the deceased's health care surrogate to make an anatomical gift in accordance with ch. 765, F.S. (Section 4)

Immigration Detainer Information

The bill requires the Criminal Justice Information Program within FDLE to collect, process, store, maintain, and disseminate immigration detainer information. The bill requires a law enforcement agency to capture and electronically submit to FDLE in the manner prescribed by rule the fingerprints of a qualifying offender who is in such agency's custody and who is subject to an immigration detainer. Upon receiving the fingerprints, FDLE is required to create a record containing the qualifying offender's immigration detainer information. (Section 5)

The bill defines the following terms:

- "Immigration detainer" means a facially sufficient written or electronic request issued by a federal immigration agency using that agency's official form to request that another law enforcement agency detain a person based on probable cause to believe that the person to be detained is a removable alien under federal immigration law, including detainees issued pursuant to 8 U.S.C. ss. 1226 and 1357 along with a warrant. For purposes of this subsection, an immigration detainer is deemed facially sufficient if:
 - The federal immigration agency's official form is complete and indicates on its face that the federal immigration official has probable cause to believe that the person to be detained is a removable alien under federal immigration law; or
 - The federal immigration agency's official form is incomplete and fails to indicate on its face that the federal immigration official has probable cause to believe that the person to be detained is a removable alien under federal immigration law, but is supported by an affidavit, order, or other official documentation that indicates that the federal immigration agency has probable cause to believe that the person to be detained is a removable alien under federal immigration law; and
 - The federal immigration agency supplies with its detention request a Form I-200 Warrant for Arrest of Alien or a Form I-205 Warrant of Removal/Deportation or a successor warrant or other warrant authorized by federal law.
- "Law enforcement agency" means an agency in this state charged with enforcement of state, county, municipal, or federal laws or with managing custody of detained persons in this state and includes municipal police departments, sheriffs' offices, state police departments, state university and college police departments, county correctional agencies, and the Department of Corrections. (Section 5)

Administrative Expunction

The bill authorizes FDLE to administratively expunge a record containing immigration detainer information of a person that FDLE determines was detained contrary to law or by mistake. An application for administrative expunction may be made by the detaining law enforcement agency, the detained person, or, if the person is a minor child, the child's parent or legal guardian. Under the bill, if the detained person is applying for an administrative expunction, his or her application must be supported by the head of the detaining agency or his or her designee. The bill requires an application for administrative expunction to be made on the submitting agency's letterhead and specifies that the application must contain the following:

- The person's name.
- The date and time when the person was detained.
- The person's offender-based tracking system number.
- Information relating to the immigration detainer.
- The signature of the head of the submitting law enforcement agency or his or her designee. (Section 6)

Criminal Justice Standards and Training Commission

The bill specifies that the Criminal Justice Professionalism Program within FDLE must provide staff support to the Criminal Justice Standards and Training Commission (CJSTC), and also requires the CJSTC to act independently of any criminal justice agency. (Section [7](#))

The bill specifies that when CJSTC [serves an administrative complaint](#) related to a misconduct investigation on a certified law enforcement officer, correctional officer, or correctional probation officer, or instructor, that the service of such complaint must be made by certified mail to the officer's or instructor's last known address of record and, if possible, by email. If the CJSTC does not receive proof of service, the bill requires the CJSTC to call the officer's or instructor's last known telephone number of record and cause a short, plain notice to the certified officer or instructor to be posted on the front page of its website. (Section [8](#))

The bill revises several statutes related to law enforcement training to clarify that the CJSTC, rather than FDLE, is responsible for establishing and developing specified continued employment training courses, specifically, continued employment training courses related to diabetic emergencies, the medical use of marijuana, autism spectrum disorder, and Alzheimer's disease and related forms of dementia. (Sections [9](#), [10](#), [11](#), and [12](#))

The effective date of Section 2-13 of the bill is July 1, 2026. (Section [13](#))

RULEMAKING:

The bill authorizes FDLE to adopt rules to implement the Florida Medal of Valor and Florida Blue/Red Heart Medal programs, and rules related to the submission by law enforcement agencies of fingerprints of qualifying offenders who are subject to immigration detainers.

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have an insignificant positive fiscal impact by authorizing the CJSTC to provide service of specified administrative complaints on its website, rather than a newspaper, if service by certified mail is unsuccessful. FDLE estimates the average annual cost of newspaper advertising for such notices is approximately \$8,800, and does not estimate the bill will have any other fiscal impacts.¹

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Florida Medal of Valor and Florida Blue/Red Heart Medal

In 2025, the legislature created two honorary medals for first responders: the Florida Medal of Valor and the Florida Blue/Red Heart Medal.² The Florida Medal of Valor may be awarded only to a first responder³ or related personnel who goes above and beyond the call of duty to save the life of an individual.⁴ The Florida Blue/Red Heart

¹ Florida Department of Law Enforcement, Agency Analysis of 2026 Senate Bill 524, p. 2 (Jan. 7, 2026) (on file with the House Criminal Justice Subcommittee).

² [S. 112.195, F.S.](#)

³ "First responder" means a law enforcement officer as defined in [s. 943.10, F.S.](#), a firefighter as defined in [s. 633.102, F.S.](#), or an emergency medical technician or paramedic as defined in [s. 401.23, F.S.](#), employed by state or local government. A volunteer law enforcement officer, firefighter, or emergency medical technician or paramedic engaged by the state or a local government is also considered a first responder of the state or local government. [S. 112.1815\(1\), F.S.](#)

⁴ [S. 112.195\(1\)\(a\), F.S.](#)

Medal must be awarded to a law enforcement officer, correctional officer, correctional probation officer, or firefighter who is injured in the line of duty.⁵

The Florida Department of Law Enforcement (FDLE) is required to issue and administer the application process for these awards, which application must be made by a Florida resident or a potential recipient's employing agency.⁶ An application for these awards must be considered by a five-member board, at least three of whom must be active, retired, or former law enforcement officers or firefighters.⁷ FDLE does not currently have explicit rulemaking authority to implement the medal programs. As such, no medals have been awarded under either program.

Medical Examiners

A district medical examiner is required to determine a person's cause of death in specified circumstances, including when requested by the state attorney or when a person dies:

- Of criminal violence.
- By accident.
- By suicide.
- Suddenly, when in apparent good health.
- Unattended by a practicing physician or other recognized practitioner.
- In any prison or penal institution.
- In police custody.
- In any suspicious or unusual circumstance.
- By criminal abortion.
- By poison.
- By disease constituting a threat to public health.
- By disease, injury, or toxic agent resulting from employment.⁸

A district medical examiner is authorized to make or perform such examinations, investigations, and autopsies as he or she deems necessary to make such a determination.⁹

Medical Examiners Commission

The Medical Examiners Commission (MEC) within FDLE consists of nine persons, and includes seven members appointed by the Governor, one member appointed by the Attorney General, and one member appointed by the State Surgeon General.¹⁰ Members of the MEC generally serve four year terms, and any appointment to fill a vacancy on the MEC is effective for the unexpired portion of such term.¹¹ The MEC is responsible for establishing medical examiner districts¹² and overseeing the distribution of state funds to the medical examiner districts.¹³

Appointment of Medical Examiners

⁵ [S. 112.195\(1\)\(b\), F.S.](#)

⁶ [S. 112.195\(2\), F.S.](#)

⁷ [S. 112.195\(3\)\(a\), F.S.](#)

⁸ [S. 406.11\(1\)\(a\), F.S.](#)

⁹ [S. 406.11\(1\) and \(2\)\(a\), F.S.](#)

¹⁰ [S. 406.02\(1\), F.S.](#)

¹¹ [S. 406.02\(2\), F.S.](#)

¹² There are currently 25 medical examiner districts. Florida Department of Law Enforcement, *Florida District Medical Examiners*, <https://www.fdle.state.fl.us/getContentAsset/a1fc5e21-5644-4846-a68b-30e60df79b7f/73aabf56-e6e5-4330-95a3-5f2a270a1d2b/DME-List-February-19-2025.pdf?language=en> (last visited Feb. 10, 2026).

¹³ [Ss. 406.02\(4\) and 406.05, F.S.](#)

A district medical examiner is appointed by the Governor for each district from nominees who must be practicing physicians in pathology and whose nominations are submitted to the Governor by the MEC.¹⁴ The term of office for each district medical examiner is three years.¹⁵ According to FDLE, as of July 2025, 24 of the 25 district medical examiners were pending either initial appointment or reappointment, and the most recent gubernatorial appointment was made in 2023.¹⁶

Autopsy Reports

All photographs, video recordings, and audio recordings of an autopsy held by a medical examiner are confidential and exempt from disclosure as a public record.¹⁷ However, a person's autopsy report is generally subject to disclosure, with the exception of autopsy reports of the following persons:

- A minor whose death was related to an act of domestic violence, except that a surviving parent may view and copy the autopsy report if he or she did not commit the act of domestic violence that led to the minor's death; or
- A person whose manner of death was suicide, except that a surviving spouse, parent, or his or her adult children or siblings may view and copy the autopsy report in specified circumstances.¹⁸

A local government entity or a state or federal agency, in the furtherance of its official duties, may also make a written request to access or copy such exempt autopsy reports.¹⁹ A court, upon a showing of good cause, may also authorize exempt autopsy reports to be disclosed.²⁰

Administrative Expunction

Section 943.0581, F.S., authorizes FDLE to adopt rules for the administrative expunction of any nonjudicial record of an arrest of a person made contrary to law or by mistake. An application for an administrative expunction may be filed by:

- A law enforcement agency, if it determines, at its discretion, or by the final order of a court of competent jurisdiction, that a person was arrested contrary to law or by mistake; or
- An adult or, in the case of a minor child, the parent or legal guardian of the minor child, provided that the application is supported by the endorsement of the head of the arresting agency or his or her designee or the state attorney of the judicial circuit in which the arrest occurred or his or her designee.²¹

An application for an administrative expunction must include the person's name, the date and time of his or her arrest, the person's offender-based tracking system (OBTS) number, and the crime or crimes that the person was charged with committing.²² The application must be made on the submitting agency's letterhead and must be signed by the head of the submitting agency or his or her designee.²³

Qualifying Offenders

Under S. 943.325, F.S., a "qualifying offender" includes both juveniles and adults who are committed to a county jail or who are committed to or under the supervision of the Department of Corrections (DOC) or the Department of Juvenile Justice, and who are:

- Convicted of or arrested for committing a felony offense or an attempt to commit a felony offense;
- Convicted of specified misdemeanor offenses; or

¹⁴ [S. 406.06\(1\)\(a\), F.S.](#)

¹⁵ *Id.*

¹⁶ Florida Department of Law Enforcement, Agency Analysis of 2026 Senate Bill 524, p. 2 (Jan. 7, 2026) (on file with the House Criminal Justice Subcommittee).

¹⁷ [S. 406.135\(2\), F.S.](#)

¹⁸ [S. 406.135\(2\)\(b\) and \(c\), F.S.](#)

¹⁹ [S. 406.135\(3\)\(b\), F.S.](#)

²⁰ [S. 406.135\(4\), F.S.](#)

²¹ [S. 943.0581\(2\) and \(3\), F.S.](#)

²² [S. 943.0581\(4\), F.S.](#)

²³ *Id.*

- In the custody of a law enforcement agency and subject to an immigration detainer.²⁴

Criminal Justice Standards and Training Commission

The Criminal Justice Standards and Training Commission (CJSTC) within FDLE is responsible for ensuring criminal justice officers in Florida are ethical, qualified, and well-trained.²⁵ Among its duties, the CJSTC is responsible for certifying and, when warranted, revoking the certification of law enforcement officers, correctional officers, and correctional probation officers, and may initiate investigations of such certified officers upon receipt of a verifiable complaint.²⁶ The CJSTC is also responsible for establishing uniform minimum employment and training standards for various criminal justice disciplines, including continued employment training.²⁷

Service of Administrative Complaint

When the CJSTC conducts an investigation of an officer or instructor, it must serve an administrative complaint on such officer or instructor by personal service or certified mail, which affords reasonable notice of the facts or conduct which warrant disciplinary action and provides him or her with an adequate opportunity to request an administrative hearing.²⁸ If personal service cannot be made and the certified mail notice is returned undelivered, CJSTC must cause a short, plain notice to the officer or instructor to be published once each week for four consecutive weeks in a newspaper published in the county of the officer's or instructor's last known address.²⁹ If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county.³⁰

²⁴ [S. 943.325\(2\)\(g\), F.S.](#)

²⁵ Florida Department of Law Enforcement, *Criminal Justice Standards and Training Commission*, <https://www.fdle.state.fl.us/cjstc/commission> (last visited Feb. 10, 2026).

²⁶ [S. 943.12](#) and [943.1395, F.S.](#)

²⁷ [S. 943.12, F.S.](#) While the CJSTC is generally responsible for developing continued employment training, FDLE is currently required by statute to develop such training related to diabetic emergencies, the medical use of marijuana, autism spectrum disorder, and Alzheimer's disease and related forms of dementia. [Ss. 943.1726, 943.17261, 943.1727](#), and [943.17299, F.S.](#)

²⁸ [S. 120.60, F.S.](#)

²⁹ *Id.*

³⁰ *Id.*

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Criminal Justice Subcommittee	15 Y, 0 N, As CS	1/20/2026	Hall	Padgett
THE CHANGES ADOPTED BY THE COMMITTEE:	Authorized FDLE to adopt rules to implement the Florida Medal of Valor and Florida Blue/Red Heart Medal programs.			
Justice Budget Subcommittee	13 Y, 0 N	1/29/2026	Keith	Saag
Judiciary Committee	16 Y, 0 N, As CS	2/10/2026	Kramer	Padgett
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> • Authorized medical examiners to release certain autopsy reports to facilitate anatomical gifts or transplants. • Authorized FDLE to collect fingerprints from qualifying offenders who are in the custody of a law enforcement agency and who are subject to an immigration detainer, and authorized FDLE to create a record containing such offender's immigration detainer information. • Authorized FDLE, upon receipt of an application containing specified information, to administratively expunge immigration detainer information contained in its records if a person was detained contrary to law or by mistake. 			

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