

## Council Substitute for House Bill No. 1447

An act relating to arrest without a warrant; amending s. 901.15, F.S.; authorizing a law enforcement officer to make an arrest without a warrant when there is probable cause to believe that the person has committed assault upon a law enforcement officer, a firefighter, an emergency medical care provider, public transit employees or agents, or certain other officers or has committed assault or battery upon any employee of a receiving facility; amending ss. 947.141, 947.22, F.S.; requiring a law enforcement officer to arrest an offender whom the officer has probable cause to believe has committed a felony while on release supervision or parole; providing that a warrant need not be issued in the case; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (16) is added to section 901.15, Florida Statutes, to read:

901.15 When arrest by officer without warrant is lawful.—A law enforcement officer may arrest a person without a warrant when:

(16) There is probable cause to believe that the person has committed assault upon a law enforcement officer, a firefighter, an emergency medical care provider, public transit employees or agents, or other specified officers as set forth in s. 784.07 or has committed assault or battery upon any employee of a receiving facility as defined in s. 394.455 who is engaged in the lawful performance of his or her duties.

Section 2. Subsection (7) is added to section 947.141, Florida Statutes, to read:

947.141 Violations of conditional release, control release, or conditional medical release or addiction-recovery supervision.—

(7) If a law enforcement officer has probable cause to believe that an offender who is on release supervision under s. 947.1405, s. 947.146, s. 947.149, or s. 944.4731 has violated the terms and conditions of his or her release by committing a felony offense, the officer shall arrest the offender without a warrant and a warrant need not be issued in the case.

Section 3. Subsection (3) is added to section 947.22, Florida Statutes, to read:

947.22 Authority to arrest parole violators with or without warrant.—

(3) If a law enforcement officer has probable cause to believe that a parolee has violated the terms and conditions of his or her parole, the officer shall arrest and take into custody the parolee without a warrant, and a warrant need not be issued in the case.

Section 4. This act shall take effect October 1, 2002.

Approved by the Governor May 13, 2002.

Filed in Office Secretary of State May 13, 2002.