

House Bill No. 61

An act relating to offenses against officers; amending s. 776.051, F.S.; providing that a person is not justified in using force to resist an arrest by a law enforcement officer, or to resist a law enforcement officer engaged in executing a legal duty, if the officer acts in good faith and is known or appears to be a law enforcement officer; providing an effective date.

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

Section 1. Section 776.051, Florida Statutes, is amended to read:

776.051 Use of force in resisting arrest or making an arrest or in the execution of a legal duty; prohibition.—

(1) A person is not justified in the use of force to resist an arrest by a law enforcement officer, or to resist a law enforcement officer who is engaged in the execution of a legal duty, if the law enforcement officer was acting in good faith and he or she who is known, or reasonably appears, to be a law enforcement officer.

(2) A law enforcement officer, or any person whom the officer has summoned or directed to assist him or her, is not justified in the use of force if the arrest or execution of a legal duty is unlawful and known by him or her to be unlawful.

Section 2. This act shall take effect July 1, 2008.

Approved by the Governor May 28, 2008.

Filed in Office Secretary of State May 28, 2008.