

## CHAPTER 2023-312

### Committee Substitute for House Bill No. 1275

An act relating to the Persons with Disabilities Registry; providing a short title; creating s. 402.88, F.S.; authorizing local law enforcement agencies to develop and maintain a database to be known as “Persons with Disabilities Registry”; providing for enrollment in and removal from the registry; specifying information the registry may include; authorizing local law enforcement agencies to provide access to the registry and relevant information from the registry to law enforcement officers under certain circumstances; providing an effective date.

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

Section 1. This act may be cited as the “Protect Our Loved Ones Act.”

Section 2. Section 402.88, Florida Statutes, is created to read:

402.88 Persons with Disabilities Registry.—

(1)(a) A local law enforcement agency may develop and maintain a database, to be known as a “Persons with Disabilities Registry,” listing persons who have developmental, psychological, or other disabilities or conditions that may be relevant to their interactions with law enforcement officers. Persons with any type of confirmed developmental, psychological, or other disability or condition, including, but not limited to, autism spectrum disorder, Alzheimer’s disease or a dementia-related disorder, or Down syndrome, may be enrolled in a registry.

(b) An adult with a disability or condition may enroll himself or herself in a registry. If a person with a disability has been declared incapacitated under chapter 744, a parent or legal guardian of the person may enroll him or her in a registry. An incapacitated adult enrolled by another person must be notified of that enrollment by the local law enforcement agency in writing at his or her address of record within 5 business days after enrollment in a registry.

(c) A minor with a disability or condition may be enrolled in a registry by his or her parent or legal guardian. A minor who was enrolled by another person must be notified by the local law enforcement agency in writing of that enrollment at his or her address of record within 5 business days after he or she reaches 18 years of age.

(d) At the time of registration, proof of eligibility for enrollment in a registry must be submitted to the local law enforcement agency. The local law enforcement agency may accept any of the following documents for proof of eligibility:

1. Certification of the disability or condition from a:

a. Physician or physician assistant licensed under chapter 458 or chapter 459 or an advanced practice registered nurse licensed under chapter 464; or

b. Psychologist licensed under chapter 490, a mental health counselor licensed under chapter 491, or a psychiatrist as defined in s. 394.455, if the registration is based on psychological conditions.

2. Documentation of the legal authority for a parent or legal guardian to enroll a child or ward, including, but not limited to, proof of parentage or guardianship, through:

a. A birth certificate as described in s. 382.013;

b. A power of attorney, as defined in s. 709.2102;

c. A court order establishing parental rights or guardianship; or

d. Letters of guardianship as described in s. 744.345.

(e) A registration is valid until the person is removed from the registry. A minor or an incapacitated adult may be removed from a registry by the minor's parent or legal guardian or the adult's legal guardian, respectively. A competent person who has reached 18 years of age may also choose to have his or her name removed from a registry. Upon a valid verbal or written request for removal of a person from a registry, the local law enforcement agency must remove the person's information from the registry within 5 business days after the request is made.

(2) A registry may include, but need not be limited to, any of the following information:

(a) The listed person's name, contact information, personal identifying information, and disability or condition that may be relevant to interactions with law enforcement officers.

(b) If a person did not enroll himself or herself, the name, contact information, and personal identifying information of the person who enrolled the listed person in the registry.

(c) Any additional information provided by the enrollee or the person who enrolled the listed person in the registry, including the certification of the disability or condition.

(3) A local law enforcement agency may provide relevant information from a registry to a law enforcement officer engaged in his or her official duties.

Section 3. This act shall take effect January 1, 2024.

Approved by the Governor June 29, 2023.

Filed in Office Secretary of State June 29, 2023.