

Committee on Children, Families, and Elder Affairs

CS/HB 1275 — Persons with Disabilities Registry

by Health and Human Services Committee and Rep. Plasencia and others (CS/SB 784 by Criminal Justice Committee and Senator Burgess)

The bill, known as the “Protect Our Loved Ones” Act, authorizes a local law enforcement agency to develop and maintain a database, known as a “Persons with Disabilities Registry,” of persons who may have certain developmental, psychological, or other disabilities or conditions, including but not limited to, autism spectrum disorder, Alzheimer’s disease or a related dementia disorder, and Down syndrome, that may be relevant to interactions with law enforcement.

An adult with a disability may enroll himself or herself in a registry. If a person with a disability has been declared incapacitated, a parent or legal guardian of the person may enroll him or her in a registry. Parents and guardians may voluntarily enroll minors and incapacitated individuals in the registry. The registry may include:

- An enrollee’s demographic and contact information, and information related to the enrollee’s disability or condition;
- Contact information of persons who have enrolled individuals on the registry; and
- Certification of the disability or condition.

Confirmation of a disability or condition must be certified by a licensed physician or licensed physician assistant or a licensed advanced practice registered nurse. Confirmation of a psychological condition must be certified by a licensed psychologist, licensed mental health counselor, or a psychiatrist.

The bill requires that proof of parentage, guardianship, or other legal authority be provided to local law enforcement at the time of registration of a minor or ward, which may include, but need not be limited to, proof of parentage or guardianship, as applicable:

- A birth certificate as described in s. 382.013, F.S.;
- A power of attorney, as defined in s. 709.2102(9), F.S.;
- A court order establishing parental rights or guardianship; or
- Letters of guardianship as described in s. 744.345, F.S.

An incapacitated adult enrolled onto the registry 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 five business days after such enrollment. A minor enrolled onto the registry must be notified of that enrollment by the local law enforcement agency in writing at his or her address of record within five business days after his or her 18th birthday.

A registration is valid until the person is removed from the registry. A minor or an incapacitated individual may be removed from the registry by his or her parent or legal guardian. A competent person who is 18 years old may remove himself or herself from the registry. A competent person who has reached 18 years of age may also choose to have his or her name removed from the registry. Upon a verbal or written request for removal of a person from the registry, a local law

enforcement agency must remove an individual's information from the registry within five business days after the request is made.

The bill authorizes local law enforcement agencies to provide information from the registry to law enforcement officers to assist in performance of their official duties.

The information provided to law enforcement officers under the bill may assist officers in their official duties by preparing them to respectfully and appropriately interact with an individual enrolled in the registry who has a relevant disability or condition.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect January 1, 2024.

Vote: Senate 35-2; House 115-0