Florida Senate - 2007

By Senator Crist

12-396-07 1 A bill to be entitled 2 An act relating to the use of force; amending s. 776.051, F.S.; providing that, regardless of 3 a later finding by the court, a person is not 4 5 justified in obstructing with violence a law б enforcement officer who is engaged in the 7 lawful execution of a legal duty; providing that a person is not justified in using force 8 if a law enforcement officer acts in good faith 9 10 and is known or appears to be a law enforcement officer; providing an effective date. 11 12 13 Be It Enacted by the Legislature of the State of Florida: 14 Section 1. Section 776.051, Florida Statutes, is 15 amended to read: 16 17 776.051 Use of force in resisting or making an arrest or the execution of a legal duty; prohibition .--18 (1) A person is not justified in the use of force to 19 resist an arrest by a law enforcement officer or to obstruct 20 21 with violence a lawful enforcement officer who is engaged in the law execution of a legal duty, regardless of whether a 22 23 court later finds that the action of the law enforcement officer was unlawful, if the law enforcement officer was 2.4 acting in good faith and he or she who is known, or reasonably 25 appears, to be a law enforcement officer. 26 27 (2) A law enforcement officer, or any person whom the 2.8 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 29 legal duty is unlawful and known by him or her to be unlawful. 30 Section 2. This act shall take effect July 1, 2007. 31

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CODING: Words stricken are deletions; words underlined are additions.

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| 2 | SENATE SUMMARY |
| 3 | Provides that a person is not justified in obstructing |
| 4 | Provides that a person is not justified in obstructing with violence a law enforcement officer who is engaged in the lawful execution of a legal duty. |
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