

HB 2099 -- UNLAWFUL USE OF REAL PROPERTY

SPONSOR: Amato

Currently, property owners can file a petition to seek relief for the removal of any unlawful occupants from property containing a residential dwelling.

This bill expands the petition's coverage to private noncommercial property.

Currently, when a law enforcement officer has probable cause to believe that an unlawful occupant on property containing a residential dwelling has violated an ex parte order to remove that person from the property, the officer must arrest the offending party regardless of whether the violation occurred in the presence of the arresting officer. If such an arrest is made in good faith, the arresting and assisting law enforcement officers and employing entities and superiors will be immune from liability for false arrest, false imprisonment, or malicious prosecution.

This bill makes it clear that it must be the arresting and assisting law enforcement officer's employing entities and superiors who will be immune from liability.

This bill is similar to HB 400 (2025).