

By Senator Meek

36-601A-99

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A bill to be entitled
An act relating to law enforcement and
correctional officers; amending s. 943.13,
F.S.; revising qualifications for employment or
appointment as a law enforcement officer or
correctional officer; providing an effective
date.

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

Section 1. Section 943.13, Florida Statutes, is
amended to read:

943.13 Officers' minimum qualifications for employment
or appointment. ~~On or after October 1, 1984, Any person~~
employed or appointed as a full-time, part-time, or auxiliary
law enforcement officer, correctional probation officer, or
correctional officer, including persons employed by private
entities under contract with the Department of Corrections, a
county commission, or the Correctional Privatization
Commission must: ~~on or after October 1, 1986, any person~~
~~employed as a full-time, part-time, or auxiliary correctional~~
~~probation officer; and on or after October 1, 1986, any person~~
~~employed as a full-time, part-time, or auxiliary correctional~~
~~officer by a private entity under contract to the Department~~
~~of Corrections, to a county commission, or to the Correctional~~
~~Privatization Commission shall:~~

- (1) Be at least 19 years of age.
- (2) Be a citizen of the United States, notwithstanding
any law of the state to the contrary.
- (3) Be a high school graduate or its "equivalent" as
the commission has defined the term by rule. However, any

1 person employed or appointed as a full-time or part-time law
2 enforcement officer after October 1, 2005, must hold an
3 associate degree or its equivalent, as defined by board rule.

4 (4) Not have been convicted of any felony or of a
5 misdemeanor involving perjury or a false statement, or have
6 received a dishonorable discharge from any of the Armed Forces
7 of the United States. Any person who, after July 1, 1981,
8 pleads guilty or nolo contendere to or is found guilty of any
9 felony or of a misdemeanor involving perjury or a false
10 statement is not eligible for employment or appointment as an
11 officer, notwithstanding suspension of sentence or withholding
12 of adjudication. Notwithstanding this subsection, any person
13 who has pled nolo contendere to a misdemeanor involving a
14 false statement, prior to December 1, 1985, and has had such
15 record sealed or expunged shall not be deemed ineligible for
16 employment or appointment as an officer.

17 (5) Have documentation of his or her processed
18 fingerprints on file with the employing agency or, if a
19 private correctional officer, have documentation of his or her
20 processed fingerprints on file with the Department of
21 Corrections or the Criminal Justice Standards and Training
22 Commission. If administrative delays are caused by the
23 department or the Federal Bureau of Investigation and the
24 person has complied with subsections (1)-(4) and (6)-(9), he
25 or she may be employed or appointed for a period not to exceed
26 1 calendar year from the date he or she was employed or
27 appointed or until return of the processed fingerprints
28 documenting noncompliance with subsections (1)-(4) or
29 subsection (7), whichever occurs first.

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1 (6) Have passed a physical examination by a licensed
2 physician, based on specifications established by the
3 commission.

4 (7) Have a good moral character as determined by a
5 background investigation under procedures established by the
6 commission.

7 (8) Execute and submit to the employing agency or, if
8 a private correctional officer, submit to the appropriate
9 governmental entity an affidavit-of-applicant form, adopted by
10 the commission, attesting to his or her compliance with
11 subsections (1)-(7). The affidavit shall be executed under
12 oath and constitutes an official statement within the purview
13 of s. 837.06. The affidavit shall include conspicuous language
14 that the intentional false execution of the affidavit
15 constitutes a misdemeanor of the second degree. The affidavit
16 shall be retained by the employing agency.

17 (9) Complete a commission-approved basic recruit
18 training program for the applicable criminal justice
19 discipline, unless exempt under this subsection. An applicant
20 who has:

21 (a) Completed a comparable basic recruit training
22 program for the applicable criminal justice discipline in
23 another state or for the Federal Government; and

24 (b) Served as a full-time sworn officer in another
25 state or for the Federal Government for at least one year

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27 is exempt in accordance with s. 943.131(2) from completing the
28 commission-approved basic recruit training program.

29 (10) Achieve an acceptable score on the officer
30 certification examination for the applicable criminal justice
31 discipline.

1 (11) Comply with the continuing training or education
2 requirements of s. 943.135.

3 Section 2. This act shall take effect July 1, 1999.
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6 SENATE SUMMARY

7 Revises qualifications for employment or appointment as a
8 law enforcement officer or correctional officer.
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