

By Senator Meek

40-86-00

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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 on or after October 1, 2005, must hold an  
3 associate degree or its equivalent, as defined by commission  
4 rule.

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

18 (5) Have documentation of his or her processed  
19 fingerprints on file with the employing agency or, if a  
20 private correctional officer, have documentation of his or her  
21 processed fingerprints on file with the Department of  
22 Corrections or the Criminal Justice Standards and Training  
23 Commission. If administrative delays are caused by the  
24 department or the Federal Bureau of Investigation and the  
25 person has complied with subsections (1)-(4) and (6)-(9), he  
26 or she may be employed or appointed for a period not to exceed  
27 1 calendar year from the date he or she was employed or  
28 appointed or until return of the processed fingerprints  
29 documenting noncompliance with subsections (1)-(4) or  
30 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

26  
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.

