

By Representative Trovillion

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

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

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

13 943.13 Officers' minimum qualifications for employment
14 or appointment. ~~On or after October 1, 1984, Any person~~
15 employed or appointed as a full-time, part-time, or auxiliary
16 law enforcement officer, correctional probation officer, or
17 correctional officer, including persons employed by private
18 entities under contract with the Department of Corrections, a
19 county commission, or the Correctional Privatization
20 Commission, must: ~~on or after October 1, 1986, any person~~
21 ~~employed as a full-time, part-time, or auxiliary correctional~~
22 ~~probation officer; and on or after October 1, 1986, any person~~
23 ~~employed as a full-time, part-time, or auxiliary correctional~~
24 ~~officer by a private entity under contract to the Department~~
25 ~~of Corrections, to a county commission, or to the Correctional~~
26 ~~Privatization Commission shall:~~

- 27 (1) Be at least 19 years of age.
28 (2) Be a citizen of the United States, notwithstanding
29 any law of the state to the contrary.
30 (3) Be a high school graduate or its "equivalent" as
31 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.

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, 2000.

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6 SENATE SUMMARY

7 Revises qualifications for employment or appointment as a
8 law enforcement officer or correctional officer to
9 require that persons employed or appointed on or after
October 1, 2005, hold an associate degree or its
equivalent.

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