

By Senator Klein

28-91-01

1 A bill to be entitled
2 An act relating to law enforcement officers;
3 amending s. 817.564, F.S.; providing an
4 exemption from civil or criminal liability for
5 the sale of imitation controlled substances by
6 law enforcement officers and other persons
7 acting at their direction; providing an
8 effective date.

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

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12 Section 1. Subsection (6) of section 817.564, Florida
13 Statutes, is amended to read:

14 817.564 Imitation controlled substances defined;
15 possession and distribution prohibited.--

16 (6) ~~No~~ Civil or criminal liability may not ~~shall~~ be
17 imposed by virtue of this section against:~~on~~

18 (a) Any person operating in accordance with the
19 Florida Comprehensive Drug Abuse Prevention and Control Act
20 who manufactures, dispenses, sells, gives, or distributes an
21 imitation controlled substance for use as a placebo by a
22 licensed practitioner in the course of professional practice
23 or research; or-

24 (b) A law enforcement officer acting in the officer's
25 official capacity during the course of an active criminal
26 investigation relating to controlled substances which is
27 approved or authorized by the officer's agency or to an
28 informer or third party acting under the direction or control
29 of such an officer as part of an authorized, active criminal
30 investigation relating to controlled substances.

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1 Section 2. This act shall take effect upon becoming a
2 law.

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5 SENATE SUMMARY

6 Provides immunity from liability for law enforcement
7 officers who enforce the imitation controlled substances
8 law and for other persons acting under their direction.
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