

By Representative Trovillion

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

7
 8 Be It Enacted by the Legislature of the State of Florida:

9
 10 Section 1. Section 943.13, Florida Statutes, is
 11 amended to read:

12 943.13 Officers' minimum qualifications for employment
 13 or appointment. ~~On or after October 1, 1984, Any person~~
 14 ~~employed or appointed as a full-time, part-time, or auxiliary~~
 15 ~~law enforcement officer, correctional probation officer, or~~
 16 ~~correctional officer, including persons employed by private~~
 17 ~~entities under contract with the Department of Corrections, a~~
 18 ~~county commission, or the Correctional Privatization~~
 19 ~~Commission, must; on or after October 1, 1986, any person~~
 20 ~~employed as a full-time, part-time, or auxiliary correctional~~
 21 ~~probation officer; and on or after October 1, 1986, any person~~
 22 ~~employed as a full-time, part-time, or auxiliary correctional~~
 23 ~~officer by a private entity under contract to the Department~~
 24 ~~of Corrections, to a county commission, or to the Correctional~~
 25 ~~Privatization Commission shall:~~

- 26 (1) Be at least 19 years of age.
 27 (2) Be a citizen of the United States, notwithstanding
 28 any law of the state to the contrary.
 29 (3) Be a high school graduate or its~~equivalent~~ as
 30 the commission has defined the term by rule. However, any
 31 applicant for certification pursuant to s. 120.60 as a

1 full-time or part-time law enforcement officer on or after
2 October 1, 2005, shall have or obtain within the 4-year period
3 specified in this subsection an associate degree or its
4 equivalent, as defined by rules adopted by the Criminal
5 Justice Standards and Training Commission. The certification
6 of an officer who fails to receive an associate degree or its
7 equivalent by June 30 following the anniversary date 4 years
8 after the date the officer completed certification pursuant to
9 s. 120.60 shall become inactive. The officer may not be
10 employed or appointed as a law enforcement officer until he or
11 she receives an associate degree or its equivalent, as defined
12 by rules adopted by the Criminal Justice Standards and
13 Training Commission. Any person who has completed law
14 enforcement certification pursuant to s. 120.60 prior to
15 October 1, 2005, shall be exempt from the associate degree
16 requirement.

17 (4) Not have been convicted of any felony or of a
18 misdemeanor involving perjury or a false statement, or have
19 received a dishonorable discharge from any of the Armed Forces
20 of the United States. Any person who, after July 1, 1981,
21 pleads guilty or nolo contendere to or is found guilty of any
22 felony or of a misdemeanor involving perjury or a false
23 statement is not eligible for employment or appointment as an
24 officer, notwithstanding suspension of sentence or withholding
25 of adjudication. Notwithstanding this subsection, any person
26 who has pled nolo contendere to a misdemeanor involving a
27 false statement, prior to December 1, 1985, and has had such
28 record sealed or expunged shall not be deemed ineligible for
29 employment or appointment as an officer.

30 (5) Have documentation of his or her processed
31 fingerprints on file with the employing agency or, if a

1 private correctional officer, have documentation of his or her
2 processed fingerprints on file with the Department of
3 Corrections or the Criminal Justice Standards and Training
4 Commission. If administrative delays are caused by the
5 department or the Federal Bureau of Investigation and the
6 person has complied with subsections (1)-(4) and (6)-(9), he
7 or she may be employed or appointed for a period not to exceed
8 1 calendar year from the date he or she was employed or
9 appointed or until return of the processed fingerprints
10 documenting noncompliance with subsections (1)-(4) or
11 subsection (7), whichever occurs first.

12 (6) Have passed a physical examination by a licensed
13 physician, based on specifications established by the
14 commission.

15 (7) Have a good moral character as determined by a
16 background investigation under procedures established by the
17 commission.

18 (8) Execute and submit to the employing agency or, if
19 a private correctional officer, submit to the appropriate
20 governmental entity an affidavit-of-applicant form, adopted by
21 the commission, attesting to his or her compliance with
22 subsections (1)-(7). The affidavit shall be executed under
23 oath and constitutes an official statement within the purview
24 of s. 837.06. The affidavit shall include conspicuous language
25 that the intentional false execution of the affidavit
26 constitutes a misdemeanor of the second degree. The affidavit
27 shall be retained by the employing agency.

28 (9) Complete a commission-approved basic recruit
29 training program for the applicable criminal justice
30 discipline, unless exempt under this subsection. An applicant
31 who has:

- 1 (a) Completed a comparable basic recruit training
2 program for the applicable criminal justice discipline in
3 another state or for the Federal Government; and
4 (b) Served as a full-time sworn officer in another
5 state or for the Federal Government for at least one year
6
7 is exempt in accordance with s. 943.131(2) from completing the
8 commission-approved basic recruit training program.
9 (10) Achieve an acceptable score on the officer
10 certification examination for the applicable criminal justice
11 discipline.
12 (11) Comply with the continuing training or education
13 requirements of s. 943.135.

14 Section 2. This act shall take effect July 1, 2001.

15

16 *****

17 HOUSE SUMMARY

18

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

21

22

23

24

25

26

27

28

29

30

31