

702-167AX-31

Bill No. CS/HB 1407

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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Representative(s) Cantens offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause

and insert:

Section 1. Section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.--

(1) There is created a Department of Law Enforcement. The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor with the approval of three members of the Cabinet and subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

(2) The following programs of the Department of Law Enforcement are established:

1 (a) Criminal Justice Investigations and Forensic  
2 Science Program.

3 (b) Criminal Justice Information Program.

4 (c) Criminal Justice Professionalism Program.

5 (d) Capitol Police.

6 Section 2. All statutory powers, duties, and functions  
7 of the Division of Capitol Police within the Department of  
8 Management Services related to the provision of security  
9 within the Capitol Complex, as defined in section 281.01,  
10 Florida Statutes, and the support thereof, are transferred  
11 from the Department of Management Services to the Capitol  
12 Police within the Department of Law Enforcement by a type one  
13 transfer, as defined in section 20.06, Florida Statutes.

14 Section 3. Effective July 1, 2002, section 281.01,  
15 Florida Statutes, is created to read:

16 281.01 Definitions.--For the purposes of ss.  
17 281.01-281.08, the term "Capitol Complex" includes that  
18 portion of Tallahassee, Leon County, Florida, commonly  
19 referred to as the Capitol, the Historic Capitol, the Senate  
20 Office Building, the House Office Building, the Knott  
21 Building, the Pepper Building, the Holland Building, and the  
22 curtilage of each, including the state-owned lands and public  
23 streets adjacent thereto within an area bounded by and  
24 including Monroe Street, Jefferson Street, Duval Street, and  
25 Gaines Street. The term shall also include the State Capital  
26 Circle Office Complex located in Leon County, Florida.

27 Section 4. Effective July 1, 2002, section 281.02,  
28 Florida Statutes, is amended to read:

29 281.02 Powers and duties of the Department of  
30 Management Services with respect to firesafety and security,  
31 ~~Florida Capitol Police.~~--The Department of Management

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1 Services, ~~Florida Capitol Police~~, has the following powers and  
2 duties with respect to firesafety and security:

3 (1) To assist the State Fire Marshal in maintaining  
4 the firesafety of public buildings pursuant to s. 633.085  
5 ~~establish a comprehensive and ongoing plan for the firesafety~~  
6 ~~and security of the Capitol, the Senate Office Building, the~~  
7 ~~House Office Building, and the Historic Capitol, including,~~  
8 ~~but not limited to, the institution of programs for the~~  
9 ~~awareness and training in firesafety and security of members~~  
10 ~~of the Legislature and their employees, and all other elected~~  
11 ~~officials and their respective employees, who occupy such~~  
12 ~~buildings. The Florida Capitol Police shall also ensure that~~  
13 ~~adequate signs and personnel are in place to inform and assist~~  
14 ~~the occupants of and visitors to such buildings.~~

15 (2) To make provision by rule, contract, lease, or  
16 interagency agreement for provide and maintain the firesafety  
17 ~~and security of all state-owned property leased from the~~  
18 ~~Department of Management Services, excluding state~~  
19 ~~universities and custodial institutions, the Capitol Complex~~  
20 ~~the Governor's office, the Governor's mansion and the grounds~~  
21 ~~thereof, and the Supreme Court. For these purposes, security~~  
22 shall include the safety and security of occupants and  
23 visitors to state-owned property, appropriate law enforcement  
24 response to complaints relating to criminal activity or  
25 security threats, the development of

26 (3) ~~To develop~~ emergency procedures and evacuation  
27 routes in the event of fire or disaster, and ensuring that  
28 ~~make~~ such procedures and routes are known to those persons  
29 occupying such property ~~state-owned buildings leased from the~~  
30 ~~Department of Management Services.~~

31 (3)(4) To employ+

1           ~~(a) Agents who hold certification as police officers~~  
2 ~~in accordance with the minimum standards and qualifications as~~  
3 ~~set forth in s. 943.13 and the provisions of chapter 110, who~~  
4 ~~shall have the authority to bear arms, make arrests, and apply~~  
5 ~~for arrest warrants; and~~

6           ~~(b) guards and administrative, clerical, technical,~~  
7 ~~and other personnel as may be required.~~

8           ~~(4)(5) To train employees and make provision for the~~  
9 ~~training of agents, guards, and employees of tenant agencies~~  
10 ~~agents and guards in security fire prevention, firesafety, and~~  
11 ~~emergency medical procedures.~~

12           ~~(6) To respond to all complaints relating to criminal~~  
13 ~~activity within state-owned buildings or state-leased~~  
14 ~~property.~~

15           ~~(5)(7) To make provision for the enforcement of~~  
16 ~~enforce rules of the Department of Management Services~~  
17 ~~governing the regulation of traffic and parking on state-owned~~  
18 ~~or state-leased property, including, but not limited to,~~  
19 ~~issuing citations for the violation of such rules or the~~  
20 ~~traffic laws of the state or any county or municipality and~~  
21 ~~impounding illegally or wrongfully parked vehicles.~~

22           ~~(6)(8) To delegate or assign its duties and~~  
23 ~~responsibilities furthering the provision of security as~~  
24 ~~required and authorized by provided in this section to any~~  
25 ~~state agency occupying such state-owned or state-leased~~  
26 ~~property. Security requirements may be included in lease~~  
27 ~~agreements or established by department rule.~~

28           Section 5. Effective July 1, 2002, section 281.03,  
29 Florida Statutes, is amended to read:

30           281.03 Incident reports and record retention  
31 ~~Investigations by the Florida Capitol Police.--~~

1           ~~(1) The Department of Management Services, Florida~~  
 2 ~~Capitol Police, shall conduct traffic accident investigations~~  
 3 ~~and investigations relating to felonies and misdemeanors~~  
 4 ~~occurring on state-owned or state-leased property. Any~~  
 5 ~~matters which are deemed to involve a felony may be referred~~  
 6 ~~to the appropriate law enforcement agency for criminal~~  
 7 ~~investigation. Such referrals shall include transmittal of~~  
 8 ~~records, reports, statements, and all other information~~  
 9 ~~relating to such matters.~~

10           ~~(2) The Department of Management Services, Florida~~  
 11 ~~Capitol Police, shall make provision for the collection and~~  
 12 retention of retain copies of all reports relating to such  
 13 criminal activity or other safety-related and security-related  
 14 incidents occurring on state-owned property for use in the  
 15 ongoing ~~firesafety~~ and security planning and to fulfill its  
 16 responsibilities under plan as required in s. 281.02.

17           Section 6. Effective July 1, 2002, sections 281.04 and  
 18 281.05, Florida Statutes, are repealed.

19           Section 7. Section 281.06, Florida Statutes, is  
 20 amended to read:

21           281.06 Contracts with counties, municipalities, or  
 22 licensed private security agencies.--The Department of  
 23 Management Services, ~~Florida Capitol Police,~~ may contract with  
 24 the Department of Law Enforcement, Capitol Police, any county,  
 25 municipality, or licensed private security agency to provide  
 26 and maintain the security of state-owned ~~or state-leased~~  
 27 property required by ss. 281.02-281.08 upon such terms as the  
 28 department may deem to be in the best interest of the state.

29           Section 8. Effective July 1, 2002, section 281.06,  
 30 Florida Statutes, as amended by this act, is amended to read:

31           281.06 Contracts with counties, municipalities, or

1 licensed private security agencies.--The Department of  
 2 Management Services may contract with ~~the Department of Law~~  
 3 ~~Enforcement, Capitol Police,~~any county, municipality, or  
 4 licensed private security agency to provide and maintain the  
 5 security of state-owned property, and the safety and security  
 6 of occupants and visitors thereof, pursuant to ~~required by~~ ss.  
 7 281.02-281.08 upon such terms as the department may deem to be  
 8 in the best interest of the state.

9 Section 9. Effective July 1, 2002, section 281.07,  
 10 Florida Statutes, is amended to read:

11 281.07 Rules; Facilities Program, ~~Florida Capitol~~  
 12 ~~Police;~~ traffic regulation.--

13 (1) The Department of Management Services shall adopt  
 14 and promulgate rules to govern the administration, operation,  
 15 and management of the Facilities Program, ~~Florida Capitol~~  
 16 ~~Police,~~and to regulate traffic and parking on state-owned ~~or~~  
 17 ~~state-leased~~ property, including the Capitol Complex,which  
 18 rules are not in conflict with any state law or county or  
 19 municipal ordinance, and to carry out the provisions of ss.  
 20 281.02-281.08.

21 (2) Political subdivisions and municipalities may  
 22 enact and enforce ordinances on the violation of traffic and  
 23 parking rules provided in subsection (1).

24 Section 10. Section 281.08, Florida Statutes, is  
 25 amended to read:

26 281.08 Equipment.--

27 ~~(1)~~ The Department of Management Services, ~~Florida~~  
 28 ~~Capitol Police,~~is specifically authorized to purchase, sell,  
 29 trade, rent, lease, and maintain all necessary equipment,  
 30 ~~uniforms,~~motor vehicles, communication systems, housing  
 31 facilities, and office space, and perform any other acts

1 necessary for the proper administration ~~and enforcement~~ of ss.  
 2 281.02-281.08, pursuant to part I of chapter 287. ~~The~~  
 3 ~~department may prescribe a distinctive uniform to be worn by~~  
 4 ~~personnel of the Florida Capitol Police in the performance of~~  
 5 ~~their duties pursuant to s. 281.02(7). The department may~~  
 6 ~~prescribe a distinctive emblem to be worn by all officers or~~  
 7 ~~guards of the Florida Capitol Police.~~

8 ~~(2) It is unlawful for any unauthorized person to wear~~  
 9 ~~a uniform or emblem prescribed by the department for the~~  
 10 ~~Florida Capitol Police, or a similar uniform or emblem, or to~~  
 11 ~~impersonate, pretend, or represent himself or herself to be a~~  
 12 ~~police officer or guard of the Florida Capitol Police. Any~~  
 13 ~~person who violates the provisions of this subsection is~~  
 14 ~~guilty of a misdemeanor of the first degree, punishable as~~  
 15 ~~provided in s. 775.082 or s. 775.083.~~

16 Section 11. Section 943.60, Florida Statutes, is  
 17 created to read:

18 943.60 Definitions.--For the purposes of ss.  
 19 943.60-943.68, the term "Capitol Complex" includes that  
 20 portion of Tallahassee, Leon County, Florida, commonly  
 21 referred to as the Capitol, the Historic Capitol, the Senate  
 22 Office Building, the House Office Building, the Knott  
 23 Building, the Pepper Building, the Holland Building, and the  
 24 curtilage of each, including the state-owned lands and public  
 25 streets adjacent thereto within an area bounded by and  
 26 including Monroe Street, Jefferson Street, Duval Street, and  
 27 Gaines Street. The term shall also include the State Capital  
 28 Circle Office Complex located in Leon County, Florida.

29 Section 12. Section 943.601, Florida Statutes, is  
 30 created to read:

31 943.601 Preservation of legislative powers.--Except as

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1 may be agreed to by the presiding officers of both houses of  
2 the Legislature, nothing in this chapter shall limit or  
3 otherwise interfere with the rights and powers of the Senate  
4 or the House of Representatives, or the officers of either, to  
5 direct or command members or committees of the Legislature or  
6 legislative employees to attend any meeting or enter any area  
7 of the Capitol Complex for a legislative purpose, and the  
8 Capitol Police may, as provided by the security plans  
9 developed and approved under s. 943.61(4)(a), and upon request  
10 of the presiding officer of either house of the Legislature,  
11 ensure the ability of any member of the house presided over by  
12 such presiding officer to attend to such legislative business  
13 without wrongful interference from any person or government  
14 entity.

15 Section 13. Section 943.61, Florida Statutes, is  
16 created to read:

17 943.61 Powers and duties of the Capitol Police.--  
18 (1) There is created the Capitol Police within the  
19 Department of Law Enforcement, to serve the safety and  
20 security needs of both the legislative and executive branches  
21 of state government. It is the intent of the Legislature that  
22 the Capitol Police serve as a specially trained and highly  
23 effective security and law enforcement agency serving the  
24 Capitol Complex. It shall be the primary responsibility of the  
25 Capitol Police to protect the security of the Governor, the  
26 Lieutenant Governor, the members of the Cabinet, and the  
27 members of the Senate and of the House of Representatives, and  
28 those employees assigned to assist such state officials in the  
29 performance of their official duties, and to ensure their  
30 access to buildings and premises within the Capitol Complex,  
31 thereby providing for the continuous operation of the



1 government of the State of Florida. The provision of other law  
2 enforcement services and protection of property shall be  
3 secondary responsibilities.

4 (2) The Capitol Police shall also provide security and  
5 protection for other state officials, employees, and visitors  
6 to the Capitol Complex and shall maintain a reasonable degree  
7 of safety and security within the Capitol Complex while  
8 ensuring reasonable access to buildings and premises within  
9 the Capitol Complex by state officials, employees, and  
10 visitors. The Capitol Police shall also ensure that adequate  
11 signs and personnel are in place to inform and assist the  
12 occupants of and visitors to buildings within the Capitol  
13 Complex.

14 (3) Notwithstanding the provisions of chapter 216, no  
15 assets, personnel, or resources shall be taken from the  
16 Capital Police, and no appropriation to the Capitol Police  
17 shall be reduced without the express approval of the Governor  
18 and the Legislative Budget Commission. Nothing herein limits  
19 the ability of the Capitol Police to provide mutual aid to  
20 other law enforcement agencies as authorized by law unless  
21 such a limitation is expressly included in the operational  
22 security plans provided for herein.

23 (4) The Capitol Police shall have the following powers  
24 and duties:

25 (a) To develop, in consultation with the Governor,  
26 Cabinet officers, the President of the Senate, and the Speaker  
27 of the House of Representatives, written operational plans for  
28 basic and enhanced security measures and actions related to  
29 the Capitol Complex. Such plans and any changes or amendments  
30 thereto shall not be implemented unless presented in writing  
31 in final form to the Governor, the President of the Senate,

1 and the Speaker of the House of Representatives and all three  
2 grant their approval in writing. The approval of any officer  
3 required herein shall expire 60 days after such officer  
4 vacates his or her office, and the written approval of the  
5 successor in office must be obtained prior to the continuation  
6 of operations under such plans. Upon the request of the  
7 Governor, a Cabinet officer, the President of the Senate, or  
8 the Speaker of the House of Representatives, the Capitol  
9 Police shall activate previously approved enhanced security  
10 measures and actions in accordance with the approved  
11 operational plans specific to the requesting officer's  
12 responsibilities and to the facilities occupied by such  
13 officer and employees responsible to such officer. Upon an  
14 emergency threatening the immediate safety and security of  
15 occupants of the Capitol Complex, so declared by the Governor,  
16 plans not approved as required by this paragraph may be  
17 implemented for a period not to exceed 15 days, provided such  
18 plans do not substantially interfere with the ability of the  
19 Senate and the House of Representatives to assemble for any  
20 constitutional purpose.

21 (b) To provide and maintain the security of all  
22 property located in the Capitol Complex in a manner consistent  
23 with the security plans developed and approved under paragraph  
24 (a) and, in consultation with the State Fire Marshal, to  
25 provide for evacuations, information, and training required  
26 for firesafety on such property in a manner consistent with s.  
27 633.085.

28 (c) To develop plans for reporting incidents involving  
29 buildings and property within the Capitol Complex, emergency  
30 procedures and evacuation routes in the event of fire,  
31 security threats, incidents prompting a need for evacuation,

1 acts of terrorism, or natural or manmade disaster and to make  
2 such procedures and routes known to those persons occupying  
3 such buildings.

4 (d) To employ officers who hold certification as law  
5 enforcement officers in accordance with the minimum standards  
6 and qualifications as set forth in s. 943.13 and the  
7 provisions of chapter 110, and who have the authority to bear  
8 arms, make arrests, except as may be limited in the security  
9 plans established under paragraph (a), and apply for arrest  
10 warrants.

11 (e) To hire guards and administrative, clerical,  
12 technical, and other personnel as may be required.

13 (f) To train all officers and other employees in fire  
14 prevention, firesafety, emergency medical procedures, and  
15 preventing and responding to acts of terrorism.

16 (g) To respond to all complaints relating to criminal  
17 activity or security threats within the Capitol Complex, or  
18 against the Governor, the Lieutenant Governor, a member of the  
19 Cabinet, a member of the Senate or of the House of  
20 Representatives, or an employee assisting such official.

21 (h) As provided by the security plans developed and  
22 approved under paragraph (a), upon request of the presiding  
23 officer of either house of the Legislature, the director may  
24 assign one or more officers for the protection of a member of  
25 the house served by such presiding officer. Per diem and  
26 subsistence allowance for department employees traveling with  
27 a member of the Legislature away from Tallahassee shall be  
28 computed by payment of a sum up to the amounts permitted in s.  
29 112.061 for meals, plus actual expenses for lodging to be  
30 substantiated by paid bills therefor.

31 (i) To enforce rules of the Department of Management

1 Services governing the regulation of traffic and parking  
2 within the Capitol Complex and to impound illegally or  
3 wrongfully parked vehicles.

4 (j) To establish policies for the organizational  
5 structure, principles of command, and internal operations of  
6 the Capitol Police, provided that such policies are not  
7 inconsistent with the provisions of ss. 943.61-943.68 or the  
8 security plans developed and approved under paragraph (a).

9 (5) Officers of the Capitol Police may make lawful  
10 arrests, consistent with the purposes, responsibilities, and  
11 limitations set forth in ss. 943.60-943.68. However, except  
12 with the prior approval of the appropriate presiding officer,  
13 officers of the Capitol Police shall have no power to prevent  
14 the convening or continuation of any meeting of the  
15 Legislature, legislative committees, or staff, nor shall they  
16 have the power to interfere with the legislative duties or  
17 rights of a member of the Legislature, or to interfere with  
18 the constitutional duties or rights of the Governor or a  
19 member of the Cabinet, except as may be necessary to protect  
20 the health and safety of any person from a clear and present  
21 danger, or as may be otherwise provided in the security plans  
22 developed and approved for fire prevention, firesafety, and  
23 emergency medical procedures under paragraph (4)(a). No  
24 employee of the Capitol Police shall be permitted in either  
25 legislative chamber without the specific permission of the  
26 presiding officer of that house of the Legislature, but may  
27 enter in the case of an emergency when the presiding officer  
28 is not able or available to consent.

29 Section 14. Section 943.611, Florida Statutes, is  
30 created to read:

31 943.611 Director of Capitol Police.--

1           (1) The executive director of the Department of Law  
2 Enforcement shall nominate, no later than 7 days prior to each  
3 organization session of the Legislature, an individual to  
4 serve as the director of the Capitol Police, who shall serve  
5 at the pleasure of the executive director of the Department of  
6 Law Enforcement.

7           (2) Unless discharged by the executive director of the  
8 Department of Law Enforcement, the director shall serve until:

9           (a) A successor has been nominated; or

10           (b) The director has been nominated for reappointment  
11 and the time for obtaining reapproval has expired.

12           (3) In the event that a nominee is not approved or the  
13 director is discharged by the executive director of the  
14 department, or the position is otherwise vacant, a successor  
15 shall be nominated and approved as provided in subsection (4).  
16 No person who has previously been nominated and who failed to  
17 obtain approval shall be nominated to serve as the successor.

18           (4) Each person nominated pursuant to either  
19 subsection (1) or subsection (3) must be approved no later  
20 than 30 days after the adjournment sine die of the next  
21 session of the Legislature, whether organization, regular, or  
22 special session, by the Governor and by the House of  
23 Representatives and the Senate, in a manner determined by the  
24 presiding officer of each house unless an approval process is  
25 otherwise provided for in the rules of the respective house.

26           (5) A nominee shall serve as the acting director until  
27 the time for obtaining approval has expired.

28           Section 15. Section 943.62, Florida Statutes, is  
29 created to read:

30           943.62 Investigations by the Capitol Police.--

31           (1) The Capitol Police shall conduct traffic accident

1 investigations and investigations relating to felonies and  
2 misdemeanors occurring within the Capitol Complex. Any matters  
3 may be referred to the department's special agents or  
4 inspectors or another appropriate law enforcement agency for  
5 further investigation. Such referrals shall include  
6 transmittal of records, reports, statements, and all other  
7 information relating to such matters.

8 (2) The Capitol Police shall retain copies of all  
9 reports relating to such criminal activity for use in the  
10 ongoing firesafety and security plan as required in s. 943.61.

11 Section 16. Section 943.63, Florida Statutes, is  
12 created to read:

13 943.63 Arrest by the Capitol Police.--A person  
14 arrested by an officer of the Capitol Police shall be  
15 delivered to the sheriff of the county in which the arrest  
16 takes place unless a notice to appear is issued.

17 Section 17. Section 943.64, Florida Statutes, is  
18 created to read:

19 943.64 Ex officio agents.--Law enforcement officers of  
20 the Department of Highway Safety and Motor Vehicles, special  
21 agents or inspectors of the Department of Law Enforcement, and  
22 law enforcement officers of other state agencies, counties,  
23 and municipalities are ex officio agents of the Capitol  
24 Police, and may, when authorized by the Capitol Police,  
25 enforce rules and laws applicable to the powers and duties of  
26 the Capitol Police to provide and maintain the security  
27 required by ss. 943.61-943.68.

28 Section 18. Section 943.66, Florida Statutes, is  
29 created to read:

30 943.66 Rules; Facilities Program, Capitol Police;  
31 traffic regulation.--The Capitol Police may enforce rules of

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1 the Department of Management Services governing the  
2 administration, operation, and management of the Facilities  
3 Program and regulating traffic and parking on state-owned  
4 buildings or property and any local ordinance on the violation  
5 of such if such rules are not in conflict with any state law  
6 or county or municipal ordinance, and are not inconsistent  
7 with the other requirements of ss. 943.61-943.68 or any  
8 security plan developed and approved thereunder.

9           Section 19. Section 943.67, Florida Statutes, is  
10 created to read:

11           943.67 Equipment.--The department is specifically  
12 authorized to purchase, sell, trade, rent, lease, and maintain  
13 all necessary equipment, uniforms, motor vehicles,  
14 communication systems, housing facilities, and office space,  
15 and perform any other acts necessary for the proper  
16 administration and enforcement of ss. 943.61-943.68 through  
17 the Capitol Police, pursuant to part I of chapter 287. The  
18 department may prescribe a distinctive uniform to be worn by  
19 personnel of the Capitol Police in the performance of their  
20 duties pursuant to s. 943.61. The department may prescribe a  
21 distinctive emblem to be worn by all officers or guards of the  
22 Capitol Police.

23           Section 20. Section 281.20, Florida Statutes, is  
24 renumbered as section 943.68, Florida Statutes, and amended to  
25 read:

26           943.68 ~~281.20~~ Transportation and protective  
27 services.--

28           (1) The department ~~of Law Enforcement~~ shall provide  
29 and maintain the security of the Governor, the Governor's  
30 immediate family, and the Governor's office and mansion and  
31 the grounds thereof.

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1           (2) The department shall employ such personnel as may  
2 be necessary to carry out this responsibility, including  
3 uniformed and nonuniformed officers or agents who shall have  
4 authority to bear arms and make arrests, with or without  
5 warrant, for violations of any of the criminal laws of the  
6 state, under the same terms and conditions as investigative  
7 personnel of the department, and who shall be considered peace  
8 officers for all purposes, including, but not limited to, the  
9 privileges, protections, and benefits of ss. 112.19, 121.051,  
10 122.34, and 870.05.

11           (3) The executive director shall assign agents for the  
12 performance of the duties prescribed in this section. The  
13 assignment of such agents shall be subject to continuing  
14 approval of the Governor. Upon request of the Governor, the  
15 executive director shall reassign an agent from continued  
16 performance of such duties.

17           (4) Per diem and subsistence allowance for security  
18 personnel traveling with the Governor, ~~or~~ the Governor's  
19 family, or others as authorized by this section away from  
20 Tallahassee shall be computed by payment of a sum up to the  
21 amounts permitted in s. 112.061~~(6)~~~~(d)~~ for meals, plus actual  
22 expenses for lodging to be substantiated by paid bills  
23 therefor.

24           (5) The department is authorized to provide security  
25 or transportation to visiting governors and their families  
26 upon request by the Governor.

27           (6) The department shall provide security or  
28 transportation services to other persons when requested by the  
29 Governor, the Lieutenant Governor, a member of the Cabinet,  
30 the Speaker of the House of Representatives, the President of  
31 the Senate, or the Chief Justice of the Supreme Court, subject



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1 to certification by the agency head that such services are in  
2 the best interest of the state. The agency head may delegate  
3 certification authority to the executive director of the  
4 department. The agency head shall limit such services to  
5 persons:

6 (a) Who are visiting the state; for whom such services  
7 are requested by the Governor, the Lieutenant Governor, a  
8 member of the Cabinet, the Speaker of the House of  
9 Representatives, the President of the Senate, or the Chief  
10 Justice of the Supreme Court; and for whom the primary purpose  
11 of the visit is for a public purpose and to promote the  
12 development of the state; or

13 (b) For whom the failure to provide security or  
14 transportation could result in a clear and present danger to  
15 the personal safety of such persons or could result in public  
16 embarrassment to the state.

17 (7) The department is authorized to coordinate  
18 transportation and protective services provided under  
19 subsections (1), (5), and (6) with other law enforcement  
20 agencies and may request the assistance of other law  
21 enforcement agencies to carry out the duties required by  
22 subsections (1), (5), and (6). The other law enforcement  
23 agencies of the state are authorized to provide such  
24 assistance as may be requested by the department under this  
25 subsection.

26 (8) The department shall coordinate all protective  
27 services with the United States Department of State and the  
28 United States Secret Service when requested to do so by such  
29 agencies or by the Governor or a member of the Cabinet.

30 (9) The department shall submit reports on July 15 and  
31 January 15 of each year to the President of the Senate,

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1 Speaker of the House of Representatives, Governor, and members  
2 of the Cabinet, detailing all transportation and protective  
3 services provided under subsections (1), (5), and (6) within  
4 the preceding 6 months. Each report shall include a detailed  
5 accounting of the cost of such transportation and protective  
6 services, including the names of persons provided such  
7 services and the nature of state business performed.

8 Section 21. Paragraph (c) of subsection (2) of section  
9 287.17, Florida Statutes, is amended to read:

10 287.17 Limitation on use of motor vehicles and  
11 aircraft.--

12 (2) The following criteria shall be considered in  
13 determining appropriate uses of motor vehicles and aircraft:

14 (c) Whether the Department of Law Enforcement has been  
15 directed by the agency head to provide security or  
16 transportation pursuant to s. 943.68 ~~281.20~~.

17 Section 22. Paragraph (g) of subsection (2) of section  
18 288.816, Florida Statutes, is amended to read:

19 288.816 Intergovernmental relations.--

20 (2) The secretary shall be responsible for all  
21 consular relations between the state and all foreign  
22 governments doing business in Florida. The secretary shall  
23 monitor United States laws and directives to ensure that all  
24 federal treaties regarding foreign privileges and immunities  
25 are properly observed. The secretary shall promulgate rules  
26 which shall:

27 (g) Request the Department of Law Enforcement to  
28 provide transportation and protection services when necessary  
29 pursuant to s. 943.68 ~~281.20~~.

30 Section 23. The Office of Legislative Services shall  
31 contract with a qualified outside vendor for a security

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1 inventory of facilities and personnel. The security inventory  
2 shall include information with respect to:

3 (1) A listing of security options available.

4 (2) A listing of the proposed most efficient,  
5 cost-effective methods of providing security.

6 (3) Any other items with respect to security that the  
7 Legislature should consider.

8 Section 24. The security inventory contract provided  
9 for in section 23 of this act is contingent upon specific  
10 funding being appropriated in HB 1943 for such contract.

11 Section 25. Except as otherwise provided in this act,  
12 this act shall take effect upon becoming a law.

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15 ===== T I T L E A M E N D M E N T =====

16 And the title is amended as follows:

17 remove: the entire title

18

19 and insert:

20 A bill to be entitled  
21 An act relating to security of public  
22 buildings; amending s. 20.201, F.S.; creating  
23 the Capitol Police within the Department of Law  
24 Enforcement; transferring the powers, duties,  
25 and functions of the Division of Capitol Police  
26 relating to security within the Capitol Complex  
27 from the Department of Management Services to  
28 the Department of Law Enforcement; creating s.  
29 281.01, F.S.; defining the Capitol Complex;  
30 amending s. 281.02, F.S.; providing for powers  
31 and duties of the Department of Management

1 Services with regard to firesafety and security  
2 responsibilities; amending s. 281.03, F.S.;  
3 providing for collection and retention of  
4 certain reports by the Department of Management  
5 Services; repealing s. 281.04, F.S., relating  
6 to arrest procedures of the Florida Capitol  
7 Police; repealing s. 281.05, F.S., relating to  
8 ex officio agents of the Florida Capitol  
9 Police; amending s. 281.06, F.S.; allowing  
10 contracts with the Department of Law  
11 Enforcement; authorizing the Department of  
12 Management Services to contract with counties,  
13 municipalities, or private security agencies to  
14 maintain the security of certain public  
15 premises; amending s. 281.07, F.S.; providing  
16 for adoption of parking regulations of the  
17 Department of Management Services; amending s.  
18 281.08, F.S.; providing for the procurement of  
19 equipment by the Department of Management  
20 Services; creating s. 943.60, F.S., to define  
21 the Capitol Complex; creating s. 943.601, F.S.;  
22 providing for the preservation of legislative  
23 powers; limiting the authority of the  
24 Department of Law Enforcement to impede such  
25 powers; providing a duty of the Capitol Police  
26 to ensure such legislative powers as requested  
27 by a presiding officer of the Legislature;  
28 creating s. 943.61, F.S.; providing for the  
29 powers, duties, and functions of the Capitol  
30 Police; providing that the Capitol Police shall  
31 serve the needs of both the legislative and

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1 executive branches of state government;  
2 prohibiting the taking of resources of, or the  
3 decreasing of appropriations to, the Capitol  
4 Police without the approval of the Governor and  
5 the Legislative Budget Commission; requiring  
6 the development and approval of security plans;  
7 requiring consultation with the Governor,  
8 members of the Cabinet, and the presiding  
9 officers of the Legislature in the development  
10 of such plans; requiring biennial approval of  
11 such plans; authorizing the implementation of  
12 unapproved plans in times of emergency;  
13 establishing other powers and duties of the  
14 Capitol Police; establishing standards for  
15 officers of the Capitol Police; limiting  
16 authority of the Capitol Police with respect to  
17 certain legislative personnel and facilities;  
18 creating s. 943.611, F.S.; providing for the  
19 nomination and approval of the director of the  
20 Capitol Police; providing that the director  
21 serves at the pleasure of the executive  
22 director of the Department of Law Enforcement;  
23 requiring periodic reappointment and approval  
24 of the director; creating s. 943.62, F.S.;  
25 providing for investigations by the Capitol  
26 Police; creating s. 943.63, F.S.; providing  
27 that persons arrested by the Capitol Police  
28 shall be delivered to the sheriff; creating s.  
29 943.64, F.S.; providing that certain law  
30 enforcement officers may serve as ex officio  
31 agents of the Capitol Police; creating s.

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1           943.66, F.S.; authorizing the Capitol Police to  
2           enforce certain rules of the Department of  
3           Management Services; creating s. 943.67, F.S.;  
4           providing for the procurement of equipment by  
5           the Department of Law Enforcement; renumbering  
6           and amending s. 281.20, F.S., relating to the  
7           security of the Governor and other specified  
8           persons; amending ss. 287.17 and 288.816, F.S.;  
9           correcting cross-references, to conform;  
10          providing for a security inventory, contingent  
11          upon an appropriation; providing effective  
12          dates.

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