

1
2 An act relating to security of public
3 buildings; amending s. 20.201, F.S.; creating
4 the Capitol Police within the Department of Law
5 Enforcement; transferring the powers, duties,
6 and functions of the Division of Capitol Police
7 relating to security within the Capitol Complex
8 from the Department of Management Services to
9 the Department of Law Enforcement; providing
10 transfer of funds; creating s. 281.01, F.S.;
11 defining the Capitol Complex; amending s.
12 281.02, F.S.; providing for powers and duties
13 of the Department of Management Services with
14 regard to firesafety and security
15 responsibilities; amending s. 281.03, F.S.;
16 providing for collection and retention of
17 certain reports by the Department of Management
18 Services; repealing s. 281.04, F.S., relating
19 to arrest procedures of the Florida Capitol
20 Police; repealing s. 281.05, F.S., relating to
21 ex officio agents of the Florida Capitol
22 Police; amending s. 281.06, F.S.; allowing
23 contracts with the Department of Law
24 Enforcement; authorizing the Department of
25 Management Services to contract with counties,
26 municipalities, or private security agencies to
27 maintain the security of certain public
28 premises; amending s. 281.07, F.S.; providing
29 for adoption of parking regulations of the
30 Department of Management Services; amending s.
31 281.08, F.S.; providing for the procurement of

1 equipment by the Department of Management
2 Services; creating s. 943.60, F.S., to define
3 the Capitol Complex; creating s. 943.601, F.S.;
4 providing for the preservation of legislative
5 powers; limiting the authority of the
6 Department of Law Enforcement to impede such
7 powers; providing a duty of the Capitol Police
8 to ensure such legislative powers as requested
9 by a presiding officer of the Legislature;
10 creating s. 943.61, F.S.; providing for the
11 powers, duties, and functions of the Capitol
12 Police; providing that the Capitol Police shall
13 serve the needs of both the legislative and
14 executive branches of state government;
15 prohibiting the taking of resources of, or the
16 decreasing of appropriations to, the Capitol
17 Police without the approval of the Governor and
18 the Legislative Budget Commission; requiring
19 the development and approval of security plans;
20 requiring consultation with the Governor,
21 members of the Cabinet, and the presiding
22 officers of the Legislature in the development
23 of such plans; requiring biennial approval of
24 such plans; authorizing the implementation of
25 unapproved plans in times of emergency;
26 establishing other powers and duties of the
27 Capitol Police; establishing standards for
28 officers of the Capitol Police; limiting
29 authority of the Capitol Police with respect to
30 certain legislative personnel and facilities;
31 creating s. 943.611, F.S.; providing for the

1 nomination and approval of the director of the
2 Capitol Police; providing that the director
3 serves at the pleasure of the executive
4 director of the Department of Law Enforcement;
5 requiring periodic reappointment and approval
6 of the director; creating s. 943.62, F.S.;
7 providing for investigations by the Capitol
8 Police; creating s. 943.63, F.S.; providing
9 that persons arrested by the Capitol Police
10 shall be delivered to the sheriff; creating s.
11 943.64, F.S.; providing that certain law
12 enforcement officers may serve as ex officio
13 agents of the Capitol Police; creating s.
14 943.66, F.S.; authorizing the Capitol Police to
15 enforce certain rules of the Department of
16 Management Services; creating s. 943.67, F.S.;
17 providing for the procurement of equipment by
18 the Department of Law Enforcement; renumbering
19 and amending s. 281.20, F.S., relating to the
20 security of the Governor and other specified
21 persons; amending ss. 287.17 and 288.816, F.S.;
22 correcting cross-references, to conform;
23 providing for a security inventory, contingent
24 upon an appropriation; providing effective
25 dates.

26
27 Be It Enacted by the Legislature of the State of Florida:

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

31 20.201 Department of Law Enforcement.--

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

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

13 (a) Criminal Justice Investigations and Forensic
14 Science Program.

15 (b) Criminal Justice Information Program.

16 (c) Criminal Justice Professionalism Program.

17 (d) Capitol Police.

18 Section 2. All statutory powers, duties, and functions
19 of the Division of Capitol Police within the Department of
20 Management Services related to the provision of security
21 within the Capitol Complex, as defined in section 281.01,
22 Florida Statutes, and the support thereof, are transferred
23 from the Department of Management Services to the Capitol
24 Police within the Department of Law Enforcement by a type one
25 transfer, as defined in section 20.06, Florida Statutes.

26 Section 3. Funds shall be transferred quarterly,
27 beginning July 1, 2002, by the Department of Management
28 Services, from the Supervision Trust Fund, to the Florida
29 Department of Law Enforcement for the purpose of funding the
30 Capitol Police program. Funds are provided from the office
31 space rental receipts assessed to tenant agencies in the

1 Florida Facilities Pool, based on the rental assessment
2 mandated in section 255.51, Florida Statutes. Transfers shall
3 be based on the existing rental rate on July 1, 2002, unless
4 otherwise appropriated by the legislature.

5 Section 4. Effective July 1, 2002, section 281.01,
6 Florida Statutes, is created to read:

7 281.01 Definitions.--For the purposes of ss.
8 281.01-281.08, the term "Capitol Complex" includes that
9 portion of Tallahassee, Leon County, Florida, commonly
10 referred to as the Capitol, the Historic Capitol, the Senate
11 Office Building, the House Office Building, the Knott
12 Building, the Pepper Building, the Holland Building, and the
13 curtilage of each, including the state-owned lands and public
14 streets adjacent thereto within an area bounded by and
15 including Monroe Street, Jefferson Street, Duval Street, and
16 Gaines Street. The term shall also include the State Capital
17 Circle Office Complex located in Leon County, Florida.

18 Section 5. Effective July 1, 2002, section 281.02,
19 Florida Statutes, is amended to read:

20 281.02 Powers and duties of the Department of
21 Management Services with respect to firesafety and security,
22 ~~Florida Capitol Police.~~--The Department of Management
23 ~~Services, Florida Capitol Police,~~has the following powers and
24 duties with respect to firesafety and security:

25 (1) To assist the State Fire Marshal in maintaining
26 the firesafety of public buildings pursuant to s. 633.085
27 ~~establish a comprehensive and ongoing plan for the firesafety~~
28 ~~and security of the Capitol, the Senate Office Building, the~~
29 ~~House Office Building, and the Historic Capitol, including,~~
30 ~~but not limited to, the institution of programs for the~~
31 ~~awareness and training in firesafety and security of members~~

1 ~~of the Legislature and their employees, and all other elected~~
2 ~~officials and their respective employees, who occupy such~~
3 ~~buildings. The Florida Capitol Police shall also ensure that~~
4 ~~adequate signs and personnel are in place to inform and assist~~
5 ~~the occupants of and visitors to such buildings.~~

6 (2) To make provision by rule, contract, lease, or
7 interagency agreement for ~~provide and maintain~~ the ~~firesafety~~
8 ~~and~~ security of all state-owned property leased from the
9 Department of Management Services, excluding state
10 universities and custodial institutions, the Capitol Complex
11 ~~the Governor's office~~, the Governor's mansion and the grounds
12 thereof, and the Supreme Court. For these purposes, security
13 shall include the safety and security of occupants and
14 visitors to state-owned property, appropriate law enforcement
15 response to complaints relating to criminal activity or
16 security threats, the development of

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

22 (3)(4) To employ:

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

28 (b) guards and administrative, clerical, technical,
29 and other personnel as may be required.

30 (4)(5) To train employees and make provision for the
31 training of agents, guards, and employees of tenant agencies

1 ~~agents and guards in security fire prevention, firesafety, and~~
2 emergency medical procedures.

3 ~~(6) To respond to all complaints relating to criminal~~
4 ~~activity within state-owned buildings or state-leased~~
5 ~~property.~~

6 (5)(7) To make provision for the enforcement of
7 ~~enforce rules of the Department of Management Services~~
8 governing the regulation of traffic and parking on state-owned
9 ~~or state-leased~~ property, including, but not limited to,
10 issuing citations for the violation of such rules or the
11 traffic laws of the state or any county or municipality and
12 impounding illegally or wrongfully parked vehicles.

13 (6)(8) To delegate or assign its duties and
14 responsibilities furthering the provision of security as
15 required and authorized by provided in this section to any
16 state agency occupying such state-owned ~~or state-leased~~
17 property. Security requirements may be included in lease
18 agreements or established by department rule.

19 Section 6. Effective July 1, 2002, section 281.03,
20 Florida Statutes, is amended to read:

21 281.03 Incident reports and record retention
22 ~~Investigations by the Florida Capitol Police.--~~

23 ~~(1) The Department of Management Services, Florida~~
24 ~~Capitol Police, shall conduct traffic accident investigations~~
25 ~~and investigations relating to felonies and misdemeanors~~
26 ~~occurring on state-owned or state-leased property. Any~~
27 ~~matters which are deemed to involve a felony may be referred~~
28 ~~to the appropriate law enforcement agency for criminal~~
29 ~~investigation. Such referrals shall include transmittal of~~
30 ~~records, reports, statements, and all other information~~
31 ~~relating to such matters.~~

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

8 Section 7. Effective July 1, 2002, sections 281.04 and
9 281.05, Florida Statutes, are repealed.

10 Section 8. Section 281.06, Florida Statutes, is
11 amended to read:

12 281.06 Contracts with counties, municipalities, or
13 licensed private security agencies.--The Department of
14 Management Services, ~~Florida Capitol Police~~, may contract with
15 the Department of Law Enforcement, Capitol Police, any county,
16 municipality, or licensed private security agency to provide
17 and maintain the security of state-owned ~~or state-leased~~
18 property required by ss. 281.02-281.08 upon such terms as the
19 department may deem to be in the best interest of the state.

20 Section 9. Effective July 1, 2002, section 281.06,
21 Florida Statutes, as amended by this act, is amended to read:

22 281.06 Contracts with counties, municipalities, or
23 licensed private security agencies.--The Department of
24 Management Services may contract with ~~the Department of Law~~
25 ~~Enforcement, Capitol Police~~, any county, municipality, or
26 licensed private security agency to provide and maintain the
27 security of state-owned property, and the safety and security
28 of occupants and visitors thereof, pursuant to ~~required by~~ ss.
29 281.02-281.08 upon such terms as the department may deem to be
30 in the best interest of the state.

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

3 281.07 Rules; Facilities Program, ~~Florida Capitol~~
4 ~~Police~~; traffic regulation.--

5 (1) The Department of Management Services shall adopt
6 and promulgate rules to govern the administration, operation,
7 and management of the Facilities Program, ~~Florida Capitol~~
8 ~~Police~~, and to regulate traffic and parking on state-owned ~~or~~
9 ~~state-leased~~ property, including the Capitol Complex, which
10 rules are not in conflict with any state law or county or
11 municipal ordinance, and to carry out the provisions of ss.
12 281.02-281.08.

13 (2) Political subdivisions and municipalities may
14 enact and enforce ordinances on the violation of traffic and
15 parking rules provided in subsection (1).

16 Section 11. Section 281.08, Florida Statutes, is
17 amended to read:

18 281.08 Equipment.--

19 ~~(1)~~ The Department of Management Services, ~~Florida~~
20 ~~Capitol Police~~, is specifically authorized to purchase, sell,
21 trade, rent, lease, and maintain all necessary equipment,
22 ~~uniforms~~, motor vehicles, communication systems, housing
23 facilities, and office space, and perform any other acts
24 necessary for the proper administration ~~and enforcement~~ of ss.
25 281.02-281.08, pursuant to part I of chapter 287. ~~The~~
26 ~~department may prescribe a distinctive uniform to be worn by~~
27 ~~personnel of the Florida Capitol Police in the performance of~~
28 ~~their duties pursuant to s. 281.02(7). The department may~~
29 ~~prescribe a distinctive emblem to be worn by all officers or~~
30 ~~guards of the Florida Capitol Police.~~

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

9 Section 12. Section 943.60, Florida Statutes, is
10 created to read:

11 943.60 Definitions.--For the purposes of ss.
12 943.60-943.68, the term "Capitol Complex" includes that
13 portion of Tallahassee, Leon County, Florida, commonly
14 referred to as the Capitol, the Historic Capitol, the Senate
15 Office Building, the House Office Building, the Knott
16 Building, the Pepper Building, the Holland Building, and the
17 curtilage of each, including the state-owned lands and public
18 streets adjacent thereto within an area bounded by and
19 including Monroe Street, Jefferson Street, Duval Street, and
20 Gaines Street. The term shall also include the State Capital
21 Circle Office Complex located in Leon County, Florida.

22 Section 13. Section 943.601, Florida Statutes, is
23 created to read:

24 943.601 Preservation of legislative powers.--Except as
25 may be agreed to by the presiding officers of both houses of
26 the Legislature, nothing in this chapter shall limit or
27 otherwise interfere with the rights and powers of the Senate
28 or the House of Representatives, or the officers of either, to
29 direct or command members or committees of the Legislature or
30 legislative employees to attend any meeting or enter any area
31 of the Capitol Complex for a legislative purpose, and the

1 Capitol Police may, as provided by the security plans
2 developed and approved under s. 943.61(4)(a), and upon request
3 of the presiding officer of either house of the Legislature,
4 ensure the ability of any member of the house presided over by
5 such presiding officer to attend to such legislative business
6 without wrongful interference from any person or government
7 entity.

8 Section 14. Section 943.61, Florida Statutes, is
9 created to read:

10 943.61 Powers and duties of the Capitol Police.--

11 (1) There is created the Capitol Police within the
12 Department of Law Enforcement, to serve the safety and
13 security needs of both the legislative and executive branches
14 of state government. It is the intent of the Legislature that
15 the Capitol Police serve as a specially trained and highly
16 effective security and law enforcement agency serving the
17 Capitol Complex. It shall be the primary responsibility of the
18 Capitol Police to protect the security of the Governor, the
19 Lieutenant Governor, the members of the Cabinet, and the
20 members of the Senate and of the House of Representatives, and
21 those employees assigned to assist such state officials in the
22 performance of their official duties, and to ensure their
23 access to buildings and premises within the Capitol Complex,
24 thereby providing for the continuous operation of the
25 government of the State of Florida. The provision of other law
26 enforcement services and protection of property shall be
27 secondary responsibilities.

28 (2) The Capitol Police shall also provide security and
29 protection for other state officials, employees, and visitors
30 to the Capitol Complex and shall maintain a reasonable degree
31 of safety and security within the Capitol Complex while

1 ensuring reasonable access to buildings and premises within
2 the Capitol Complex by state officials, employees, and
3 visitors. The Capitol Police shall also ensure that adequate
4 signs and personnel are in place to inform and assist the
5 occupants of and visitors to buildings within the Capitol
6 Complex.

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

16 (4) The Capitol Police shall have the following powers
17 and duties:

18 (a) To develop, in consultation with the Governor,
19 Cabinet officers, the President of the Senate, and the Speaker
20 of the House of Representatives, written operational plans for
21 basic and enhanced security measures and actions related to
22 the Capitol Complex. Such plans and any changes or amendments
23 thereto shall not be implemented unless presented in writing
24 in final form to the Governor, the President of the Senate,
25 and the Speaker of the House of Representatives and all three
26 grant their approval in writing. The approval of any officer
27 required herein shall expire 60 days after such officer
28 vacates his or her office, and the written approval of the
29 successor in office must be obtained prior to the continuation
30 of operations under such plans. Upon the request of the
31 Governor, a Cabinet officer, the President of the Senate, or

1 the Speaker of the House of Representatives, the Capitol
2 Police shall activate previously approved enhanced security
3 measures and actions in accordance with the approved
4 operational plans specific to the requesting officer's
5 responsibilities and to the facilities occupied by such
6 officer and employees responsible to such officer. Upon an
7 emergency threatening the immediate safety and security of
8 occupants of the Capitol Complex, so declared by the Governor,
9 plans not approved as required by this paragraph may be
10 implemented for a period not to exceed 15 days, provided such
11 plans do not substantially interfere with the ability of the
12 Senate and the House of Representatives to assemble for any
13 constitutional purpose.

14 (b) To provide and maintain the security of all
15 property located in the Capitol Complex in a manner consistent
16 with the security plans developed and approved under paragraph
17 (a) and, in consultation with the State Fire Marshal, to
18 provide for evacuations, information, and training required
19 for firesafety on such property in a manner consistent with s.
20 633.085.

21 (c) To develop plans for reporting incidents involving
22 buildings and property within the Capitol Complex, emergency
23 procedures and evacuation routes in the event of fire,
24 security threats, incidents prompting a need for evacuation,
25 acts of terrorism, or natural or manmade disaster and to make
26 such procedures and routes known to those persons occupying
27 such buildings.

28 (d) To employ officers who hold certification as law
29 enforcement officers in accordance with the minimum standards
30 and qualifications as set forth in s. 943.13 and the
31 provisions of chapter 110, and who have the authority to bear

1 arms, make arrests, except as may be limited in the security
2 plans established under paragraph (a), and apply for arrest
3 warrants.

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

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

9 (g) To respond to all complaints relating to criminal
10 activity or security threats within the Capitol Complex, or
11 against the Governor, the Lieutenant Governor, a member of the
12 Cabinet, a member of the Senate or of the House of
13 Representatives, or an employee assisting such official.

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

24 (i) To enforce rules of the Department of Management
25 Services governing the regulation of traffic and parking
26 within the Capitol Complex and to impound illegally or
27 wrongfully parked vehicles.

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

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

23 Section 15. Section 943.611, Florida Statutes, is
24 created to read:

25 943.611 Director of Capitol Police.--

26 (1) The executive director of the Department of Law
27 Enforcement shall nominate, no later than 7 days prior to each
28 organization session of the Legislature, an individual to
29 serve as the director of the Capitol Police, who shall serve
30 at the pleasure of the executive director of the Department of
31 Law Enforcement.

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

3 (a) A successor has been nominated; or

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

6 (3) In the event that a nominee is not approved or the
7 director is discharged by the executive director of the
8 department, or the position is otherwise vacant, a successor
9 shall be nominated and approved as provided in subsection (4).

10 No person who has previously been nominated and who failed to
11 obtain approval shall be nominated to serve as the successor.

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

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

22 Section 16. Section 943.62, Florida Statutes, is
23 created to read:

24 943.62 Investigations by the Capitol Police.--

25 (1) The Capitol Police shall conduct traffic accident
26 investigations and investigations relating to felonies and
27 misdemeanors occurring within the Capitol Complex. Any matters
28 may be referred to the department's special agents or
29 inspectors or another appropriate law enforcement agency for
30 further investigation. Such referrals shall include

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1 transmittal of records, reports, statements, and all other
2 information relating to such matters.

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

6 Section 17. Section 943.63, Florida Statutes, is
7 created to read:

8 943.63 Arrest by the Capitol Police.--A person
9 arrested by an officer of the Capitol Police shall be
10 delivered to the sheriff of the county in which the arrest
11 takes place unless a notice to appear is issued.

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

14 943.64 Ex officio agents.--Law enforcement officers of
15 the Department of Highway Safety and Motor Vehicles, special
16 agents or inspectors of the Department of Law Enforcement, and
17 law enforcement officers of other state agencies, counties,
18 and municipalities are ex officio agents of the Capitol
19 Police, and may, when authorized by the Capitol Police,
20 enforce rules and laws applicable to the powers and duties of
21 the Capitol Police to provide and maintain the security
22 required by ss. 943.61-943.68.

23 Section 19. Section 943.66, Florida Statutes, is
24 created to read:

25 943.66 Rules; Facilities Program, Capitol Police;
26 traffic regulation.--The Capitol Police may enforce rules of
27 the Department of Management Services governing the
28 administration, operation, and management of the Facilities
29 Program and regulating traffic and parking on state-owned
30 buildings or property and any local ordinance on the violation
31 of such if such rules are not in conflict with any state law

1 or county or municipal ordinance, and are not inconsistent
2 with the other requirements of ss. 943.61-943.68 or any
3 security plan developed and approved thereunder.

4 Section 20. Section 943.67, Florida Statutes, is
5 created to read:

6 943.67 Equipment.--The department is specifically
7 authorized to purchase, sell, trade, rent, lease, and maintain
8 all necessary equipment, uniforms, motor vehicles,
9 communication systems, housing facilities, and office space,
10 and perform any other acts necessary for the proper
11 administration and enforcement of ss. 943.61-943.68 through
12 the Capitol Police, pursuant to part I of chapter 287. The
13 department may prescribe a distinctive uniform to be worn by
14 personnel of the Capitol Police in the performance of their
15 duties pursuant to s. 943.61. The department may prescribe a
16 distinctive emblem to be worn by all officers or guards of the
17 Capitol Police.

18 Section 21. Section 281.20, Florida Statutes, is
19 renumbered as section 943.68, Florida Statutes, and amended to
20 read:

21 943.68 ~~281.20~~ Transportation and protective
22 services.--

23 (1) The department ~~of Law Enforcement~~ shall provide
24 and maintain the security of the Governor, the Governor's
25 immediate family, and the Governor's office and mansion and
26 the grounds thereof.

27 (2) The department shall employ such personnel as may
28 be necessary to carry out this responsibility, including
29 uniformed and nonuniformed officers or agents who shall have
30 authority to bear arms and make arrests, with or without
31 warrant, for violations of any of the criminal laws of the

1 state, under the same terms and conditions as investigative
2 personnel of the department, and who shall be considered peace
3 officers for all purposes, including, but not limited to, the
4 privileges, protections, and benefits of ss. 112.19, 121.051,
5 122.34, and 870.05.

6 (3) The executive director shall assign agents for the
7 performance of the duties prescribed in this section. The
8 assignment of such agents shall be subject to continuing
9 approval of the Governor. Upon request of the Governor, the
10 executive director shall reassign an agent from continued
11 performance of such duties.

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

19 (5) The department is authorized to provide security
20 or transportation to visiting governors and their families
21 upon request by the Governor.

22 (6) The department shall provide security or
23 transportation services to other persons when requested by the
24 Governor, the Lieutenant Governor, a member of the Cabinet,
25 the Speaker of the House of Representatives, the President of
26 the Senate, or the Chief Justice of the Supreme Court, subject
27 to certification by the agency head that such services are in
28 the best interest of the state. The agency head may delegate
29 certification authority to the executive director of the
30 department. The agency head shall limit such services to
31 persons:

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

8 (b) For whom the failure to provide security or
9 transportation could result in a clear and present danger to
10 the personal safety of such persons or could result in public
11 embarrassment to the state.

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

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

25 (9) The department shall submit reports on July 15 and
26 January 15 of each year to the President of the Senate,
27 Speaker of the House of Representatives, Governor, and members
28 of the Cabinet, detailing all transportation and protective
29 services provided under subsections (1), (5), and (6) within
30 the preceding 6 months. Each report shall include a detailed
31 accounting of the cost of such transportation and protective

1 services, including the names of persons provided such
2 services and the nature of state business performed.

3 Section 22. Paragraph (c) of subsection (2) of section
4 287.17, Florida Statutes, is amended to read:

5 287.17 Limitation on use of motor vehicles and
6 aircraft.--

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

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

12 Section 23. Paragraph (g) of subsection (2) of section
13 288.816, Florida Statutes, is amended to read:

14 288.816 Intergovernmental relations.--

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

22 (g) Request the Department of Law Enforcement to
23 provide transportation and protection services when necessary
24 pursuant to s. 943.68 ~~281.20~~.

25 Section 24. The Office of Legislative Services shall
26 contract with a qualified outside vendor for a security
27 inventory of facilities and personnel. The security inventory
28 shall include information with respect to:

29 (1) A listing of security options available.

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

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

3 Section 25. The security inventory contract provided
4 for in section 23 of this act is contingent upon specific
5 funding being appropriated in HB 1943 for such contract.

6 Section 26. Except as otherwise provided in this act,
7 this act shall take effect upon becoming a law.

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