

HOUSE OF REPRESENTATIVES ANALYSIS

BILL #: HB 59
SPONSOR(S): Bean
TIED BILLS: none

RELATING TO: Medal of Heroism
IDEN./SIM. BILLS: none

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
(1) <u>State Administration</u>	_____	<u>Bond</u>	<u>Everhart</u>
(2) <u>Public Safety Appropriations</u>	_____	_____	_____
(3) <u>Appropriations</u>	_____	_____	_____
(4) _____	_____	_____	_____
(5) _____	_____	_____	_____

SUMMARY ANALYSIS

This bill allows the Governor to award a Medal of Heroism to law enforcement officers, firefighters, and emergency medical technicians. Criteria for the award include that a recipient has risked his or her life in a manner above and beyond the call of duty.

This bill appears to have a negligible fiscal impact upon state government, and does not appear to have a fiscal impact upon local governments.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|--|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain: This bill adds an additional duty to the Office of Governor, namely to receive and process applications for the Medal of Heroism.

B. EFFECT OF PROPOSED CHANGES:

Presently, a Medal of Valor may be given to law enforcement officers or correctional officers. Any state board, commission, department, division, bureau, or agency, or any county or municipality that employs or appoints law enforcement officers or correctional officers, may establish an award program to award a Medal of Valor to any such officer whose actions are extraordinary and expose the officer to peril beyond the call of duty.¹ The Medal of Valor may be presented in the form of a medal authorized to be worn on the officer's uniform during formal occasions and a commendation bar to be worn on the uniform during normal duty. The cost of a Medal of Valor is limited to \$250. A Medal of Valor may be awarded posthumously.

This bill allows the Governor to award a Medal of Heroism to law enforcement or corrections officers,² firefighters, emergency medical technicians, or paramedics, who have "distinguished themselves conspicuously by gallantry and intrepidity and who risk their lives deliberately, above and beyond the call of duty," while performing their duty and "engaging in hazardous or perilous activities to preserve lives, with the knowledge that such activities might result in great personal harm" to themselves.

A written application to the Governor is required. The Governor may refer applications to the Florida Department of Law Enforcement, the Department of Community Affairs, or to a private association for advice and recommendations regarding an application.

C. SECTION DIRECTORY:

Section 1 provides for an award of a Medal of Heroism.

Section 2 provides an effective date of July 1, 2003.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues: None.
2. Expenditures: The cost of medals and ceremonies would be negligible.

¹ Section 112.194, F.S.

² The bill references s. 943.10(14), F.S., which defines "officer" as "any person employed or appointed as a fulltime, part-time, or auxiliary law enforcement officer, corrections officer, or correctional probations officer." See DRAFTING ISSUES OR OTHER COMMENTS herein.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: None.
2. Expenditures: None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR: None.

D. FISCAL COMMENTS: None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision: n/a
2. Other: None.

B. RULE-MAKING AUTHORITY: None.

C. DRAFTING ISSUES OR OTHER COMMENTS: There is one drafting issue. Section 1, subsection (1) of the bill, refers to "law enforcement or corrections officers, as defined in s. 943.10(14), F.S." Section 943.10(14), F.S., is a definition of "officers", and includes law enforcement officers, corrections officers, and correctional probation officers. It is unclear whether, as written, this Medal of Heroism could or could not be awarded to a correctional probation officer. The bill sponsor has indicated that an amendment will be offered to specify that correctional probation officers are included.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

n/a