

By the Committee on Home Defense, Public Security, and Ports

318-1452-04

1 A bill to be entitled
2 An act relating to seaport security standards;
3 amending s. 311.12, F.S.; providing for
4 legislative review of seaports not in
5 substantial compliance with statewide minimum
6 security standards by November 2005; providing
7 an effective date.

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

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11 Section 1. Subsection (4) of section 311.12, Florida
12 Statutes, is amended to read:

13 311.12 Seaport security standards.--

14 (4)(a) Subject to the provisions of subsection (6),
15 each affected seaport shall begin to implement its security
16 plan developed under this section by July 1, 2001.

17 (b) The Office of Drug Control and the Department of
18 Law Enforcement may modify or waive any physical facility or
19 other requirement contained in the statewide minimum standards
20 for seaport security upon a finding or other determination
21 that the purposes of the standards have been reasonably met or
22 exceeded by the seaport requesting the modification or waiver.
23 Such modifications or waivers shall be noted in the annual
24 report submitted by the Department of Law Enforcement pursuant
25 to this subsection.

26 (c) Beginning with the 2001-2002 fiscal year, the
27 Department of Law Enforcement, or any entity designated by the
28 department, shall conduct no less than one annual unannounced
29 inspection of each seaport listed in s. 311.09 to determine
30 whether the seaport is meeting the minimum standards
31 established pursuant to this section, and to identify seaport

1 security changes or improvements necessary or otherwise
2 recommended. The Department of Law Enforcement, or any entity
3 designated by the department, may conduct additional announced
4 or unannounced inspections or operations within or affecting
5 any affected seaport to test compliance with, or the
6 effectiveness of, security plans and operations at each
7 seaport, to determine compliance with physical facility
8 requirements and standards, or to assist the department in
9 identifying changes or improvements necessary to bring a
10 seaport into compliance with the statewide minimum security
11 standards.

12 (d) By December 31, 2001, and annually thereafter, the
13 Department of Law Enforcement, in consultation with the Office
14 of Drug Control, shall complete a report indicating the
15 observations and findings of all inspections or operations
16 conducted during the year and any recommendations developed by
17 reason of such inspections. A copy of the report shall be
18 provided to the Governor, the President of the Senate, the
19 Speaker of the House of Representatives, and the chief
20 administrator of each seaport inspected. The report shall
21 include responses from the chief administrator of any seaport
22 indicating what actions, if any, have been taken or are
23 planned to be taken in response to the recommendations,
24 observations, and findings reported by the department.

25 (e) In making security project or other funding
26 decisions applicable to each seaport listed in s. 311.09, the
27 Legislature may consider as authoritative the annual report of
28 the Department of Law Enforcement required by this section,
29 especially regarding each seaport's degree of substantial
30 compliance with the statewide minimum security standards
31 established by this section. The Legislature shall review any

1 seaport that is not in substantial compliance with the
2 statewide minimum security standards by November 2005, as
3 reported by the Department of Law Enforcement.

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

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8 SENATE SUMMARY

9 Requires that the Legislature review any seaport that is
10 not in substantial compliance with statewide minimum
11 security standards by November 2005.

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