

By the Committee on Home Defense, Public Security, and Ports;
and Senator Hill

318-2429-04

1 A bill to be entitled
2 An act relating to seaport security standards;
3 amending s. 311.12, F.S.; requiring that each
4 seaport security plan have a procedure that
5 notifies an individual that he or she is
6 disqualified from employment within, or regular
7 access to, a seaport or a seaport's restricted
8 access area; requiring each plan to include a
9 procedure by which the individual may appeal
10 the decision of the seaport; directing a
11 seaport to have its procedures in substantial
12 compliance with federal regulations; providing
13 criteria for seaports to consider for inclusion
14 in procedures for appeals and waivers from
15 disqualification; providing that certain
16 seaport workers holding credentials on June 3,
17 2003, shall not have seaport access denied;
18 providing for future repeal; requiring each
19 seaport to report to the Department of Law
20 Enforcement by a specified date the number of
21 waivers from disqualification issued in the
22 previous 12 months; amending s. 311.125, F.S.;
23 conforming provisions to changes made by the
24 act; providing an effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. Section 311.12, Florida Statutes, is
29 amended to read:
30 311.12 Seaport security standards.--

31

1 (1)(a) The statewide minimum standards for seaport
2 security for each seaport identified in s. 311.09 shall be
3 those based upon the Florida Seaport Security Assessment 2000
4 and set forth in the "Port Security Standards--Compliance
5 Plan" delivered to the Speaker of the House of Representatives
6 and the President of the Senate on December 11, 2000, under
7 ~~pursuant to~~ this section. The statewide minimum standards are
8 hereby adopted. The Office of Drug Control within the
9 Executive Office of the Governor shall maintain a sufficient
10 number of copies of the standards for use of the public, at
11 its offices, and shall provide copies to each affected seaport
12 upon request.

13 (b) The Department of Law Enforcement may exempt any
14 seaport identified in s. 311.09 from all or part of the
15 requirements of subsections (1)-(5) if the department
16 determines that the seaport is not active. The department
17 shall periodically review exempted seaports to determine if
18 there is maritime activity at the seaport. A change in status
19 from inactive to active may warrant removal of all or part of
20 any exemption provided by the department.

21 (2) Each seaport identified in s. 311.09 shall
22 maintain a security plan relating to the specific and
23 identifiable needs of the seaport which assures that the
24 seaport is in substantial compliance with the statewide
25 minimum standards established under ~~pursuant to~~ subsection
26 (1). Each plan adopted or revised under ~~pursuant to~~ this
27 subsection must be reviewed and approved by the Office of Drug
28 Control and the Department of Law Enforcement. All ~~such~~
29 seaports shall allow unimpeded access by the Department of Law
30 Enforcement to the affected facilities for purposes of
31 inspections or other operations authorized by this section.

1 Each seaport security plan may establish restricted access
2 areas within the seaport consistent with the requirements of
3 the statewide minimum standards. In these ~~such~~ cases, a
4 Uniform Port Access Credential Card, authorizing
5 restricted-area access, shall be required for any individual
6 working within or authorized to regularly enter a restricted
7 access area and the requirements in subsection (3) relating to
8 criminal history checks and employment restrictions shall be
9 applicable only to employees or other persons working within
10 or authorized to regularly enter a restricted access area.
11 Every seaport security plan shall set forth the conditions and
12 restrictions to be imposed upon others visiting the port or
13 any restricted access area sufficient to provide substantial
14 compliance with the statewide minimum standards.

15 (3)(a) A fingerprint-based criminal history check
16 shall be performed on any applicant for employment, every
17 current employee, and other persons as designated under
18 ~~pursuant to~~ the seaport security plan for each seaport. The
19 criminal history check shall be performed in connection with
20 employment within or other authorized regular access to a
21 restricted access area or the entire seaport if the seaport
22 security plan does not designate one or more restricted access
23 areas. With respect to employees or others with regular
24 access, the ~~such~~ checks shall be performed at least once every
25 5 years or at other more frequent intervals as provided by the
26 seaport security plan. Each individual subject to the
27 background criminal history check shall file a complete set of
28 fingerprints taken in a manner required by the Department of
29 Law Enforcement and the seaport security plan. Fingerprints
30 shall be submitted to the Department of Law Enforcement for
31 state processing and to the Federal Bureau of Investigation

1 | for federal processing. The results of each fingerprint-based
2 | check shall be reported to the requesting seaport. The costs
3 | of the checks, consistent with s. 943.053(3), shall be paid by
4 | the seaport or other employing entity or by the person
5 | checked.

6 | (b) By January 1, 2002, each seaport security plan
7 | shall identify criminal convictions or other criminal history
8 | factors consistent with paragraph~~(e)~~~~(e)~~ which shall
9 | disqualify a person from either initial seaport employment or
10 | new authorization for regular access to seaport property or to
11 | a restricted access area. These ~~Such~~ factors shall be used to
12 | disqualify all applicants for employment or others seeking
13 | regular access to the seaport or restricted access area on or
14 | after January 1, 2002, and may be used to disqualify all those
15 | employed or authorized for regular access on that date. ~~Each~~
16 | ~~seaport security plan may establish a procedure to appeal a~~
17 | ~~denial of employment or access based upon procedural~~
18 | ~~inaccuracies or discrepancies regarding criminal history~~
19 | ~~factors established pursuant to this paragraph. A seaport may~~
20 | ~~allow waivers on a temporary basis to meet special or~~
21 | ~~emergency needs of the seaport or its users. Policies,~~
22 | ~~procedures, and criteria for implementation of this subsection~~
23 | ~~shall be included in the seaport security plan. All waivers~~
24 | ~~granted pursuant to this paragraph must be reported to the~~
25 | ~~Department of Law Enforcement within 30 days of issuance.~~

26 | (c) Each seaport security plan shall establish a
27 | procedure that notifies an individual that he or she is
28 | disqualified for employment within or regular access to a
29 | seaport or restricted access area. The plan shall also include
30 | a procedure by which the individual may appeal the decision of
31 | the seaport. The procedures must be in substantial compliance

1 with 49 C.F.R., Part 1572, and must include, but need not be
2 limited to, the following:

3 1. The seaport must notify the individual, in writing,
4 that he or she poses a security threat to the seaport and is
5 disqualified for employment in or access to the seaport. The
6 notification must include a statement that the seaport has
7 determined that the individual poses a security threat
8 warranting disqualification, the basis for the determination,
9 and information about the correction of records and appeal
10 procedures.

11 2. An individual may appeal a disqualification
12 determination only if the individual asserts that he or she
13 meets the qualifications set by the seaport for the position
14 for which he or she is applying. If the disqualification
15 determination is based on a conviction for a disqualifying
16 crime listed in paragraph (e), the individual may present
17 evidence that the underlying criminal record is incorrect, or
18 that the conviction was pardoned, expunged, or overturned on
19 appeal. An executive pardon, expungement, or overturned
20 conviction may nullify a disqualifying conviction if the
21 pardon, expungement, or overturned conviction does not impose
22 any restrictions on the individual.

23 3. An individual may initiate an appeal of a
24 disqualification determination by submitting a written request
25 for materials or a written reply to the seaport within 15 days
26 after receiving notification of the disqualification
27 determination. If the individual does not initiate an appeal
28 within that time, the decision of the seaport is final.

29 4. The individual may serve upon the seaport a written
30 request for copies of the materials upon which the
31 disqualification determination was based. If the

1 disqualification determination was based on a state or Federal
2 Bureau of Investigation criminal history record that the
3 individual believes is erroneous, the individual may correct
4 the record and submit the corrections to the seaport. The
5 seaport must respond within 30 days after receiving the
6 individual's request for materials. The seaport must give the
7 individual a copy of the releasable materials upon which the
8 disqualification determination was based. The seaport may not
9 include any classified information as provided by federal law.

10 5. The individual may also serve on the seaport a
11 written reply to the disqualification determination stating
12 that the seaport made errors when it issued the
13 disqualification determination.

14 6. The seaport must respond to the individual's appeal
15 no later than 30 days after the seaport receives an
16 individual's request. If the seaport determines that the
17 individual does pose a security threat, the seaport shall give
18 written notice to the individual of its final decision that
19 the individual is disqualified for employment in or access to
20 the seaport. If, upon reconsideration, the seaport concludes
21 that the individual does not pose a security threat to the
22 seaport, the seaport must notify the individual in writing of
23 its decision. Thereafter, the seaport shall issue to the
24 individual the appropriate Uniform Port Access Credential
25 Card.

26 7. If the seaport determines that the individual does
27 pose a security threat, the seaport must include in its
28 written notice of disqualification that the seaport's decision
29 is final agency action subject to review under chapter 120,
30 where applicable, or if the seaport is not subject to chapter
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1 120, that the seaport's decision is subject to judicial review
2 in circuit court.

3 (d) A seaport may allow waivers on a temporary basis
4 to meet special or emergency needs of the seaport or its
5 users. Policies, procedures, and criteria for implementation
6 of this paragraph must be included in the seaport security
7 plan. The seaport must consider, when determining whether to
8 grant a waiver, if the disqualification is based on a
9 disqualifying criminal offense, the circumstances of the
10 disqualifying act or offense, whether restitution was made by
11 the individual, and other factors that indicate that the
12 individual does not otherwise pose a security threat
13 warranting disqualification for access to the seaport. The
14 seaport must send a written notice to the individual informing
15 the individual whether the seaport granted or denied the
16 request for a waiver. All waivers granted under this paragraph
17 must be reported to the Department of Law Enforcement within
18 30 days after issuance.

19 (e)(e) In addition to other requirements for
20 employment or access established by each seaport under
21 ~~pursuant to~~ its seaport security plan, each seaport security
22 plan shall provide that:

23 1. Any person who has within the past 7 years been
24 convicted, regardless of whether adjudication was withheld,
25 for a forcible felony as defined in s. 776.08; an act of
26 terrorism as defined in s. 775.30; planting of a hoax bomb as
27 provided in s. 790.165; any violation involving the
28 manufacture, possession, sale, delivery, display, use, or
29 attempted or threatened use of a weapon of mass destruction or
30 hoax weapon of mass destruction as provided in s. 790.166;
31 dealing in stolen property; any violation of s. 893.135; any

1 violation involving the sale, manufacturing, delivery, or
2 possession with intent to sell, manufacture, or deliver a
3 controlled substance; burglary; robbery; any felony violation
4 of s. 812.014; any violation of s. 790.07; any crime an
5 element of which includes use or possession of a firearm; any
6 conviction for any similar offenses under the laws of another
7 jurisdiction; or conviction for conspiracy to commit any of
8 the listed offenses ~~is shall~~ not ~~be~~ qualified for initial
9 employment within or regular access to a seaport or restricted
10 access area; and

11 2. Any person who has at any time been convicted for
12 any of the listed offenses ~~is shall~~ not ~~be~~ qualified for
13 initial employment within or authorized regular access to a
14 seaport or restricted access area unless, after release from
15 incarceration and any supervision imposed as a sentence, the
16 person remained free from a subsequent conviction, regardless
17 of whether adjudication was withheld, for any of the listed
18 offenses for a period of at least 7 years prior to the
19 employment or access date under consideration. Provided,
20 however, that any worker holding credentials allowing access
21 as provided herein on June 3, 2003, who, but for the increase
22 from 5 to 7 years as implemented by chapter 2003-96, Laws of
23 Florida, and who is otherwise qualified for such access shall
24 not have qualified access denied. This provision is repealed
25 on June 4, 2005.

26 ~~(f)(d)~~ By October 1 of each year, each seaport shall
27 report to the Department of Law Enforcement each determination
28 of denial of employment or access, and any determination to
29 authorize employment or access after an appeal of a denial and
30 any determination to issue a waiver made during the previous
31 12 months. The report shall include the identity of the

1 individual affected, the factors supporting the determination,
2 and any other material factors used in making the
3 determination.

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

7 (b) The Office of Drug Control and the Department of
8 Law Enforcement may modify or waive any physical facility or
9 other requirement contained in the statewide minimum standards
10 for seaport security upon a finding or other determination
11 that the purposes of the standards have been reasonably met or
12 exceeded by the seaport requesting the modification or waiver.
13 ~~The Such~~ modifications or waivers shall be noted in the annual
14 report submitted by the Department of Law Enforcement under
15 ~~pursuant to~~ this subsection.

16 (c) Beginning with the 2001-2002 fiscal year, the
17 Department of Law Enforcement, or any entity designated by the
18 department, shall conduct no less than one annual unannounced
19 inspection of each seaport listed in s. 311.09 to determine
20 whether the seaport is meeting the minimum standards
21 established under ~~pursuant to~~ this section, and to identify
22 seaport security changes or improvements necessary or
23 otherwise recommended. The Department of Law Enforcement, or
24 any entity designated by the department, may conduct
25 additional announced or unannounced inspections or operations
26 within or affecting any affected seaport to test compliance
27 with, or the effectiveness of, security plans and operations
28 at each seaport, to determine compliance with physical
29 facility requirements and standards, or to assist the
30 department in identifying changes or improvements necessary to
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1 bring a seaport into compliance with the statewide minimum
2 security standards.

3 (d) By December 31, 2001, and annually thereafter, the
4 Department of Law Enforcement, in consultation with the Office
5 of Drug Control, shall complete a report indicating the
6 observations and findings of all inspections or operations
7 conducted during the year and any recommendations developed by
8 reason of these ~~such~~ inspections. A copy of the report shall
9 be provided to the Governor, the President of the Senate, the
10 Speaker of the House of Representatives, and the chief
11 administrator of each seaport inspected. The report shall
12 include responses from the chief administrator of any seaport
13 indicating what actions, if any, have been taken or are
14 planned to be taken in response to the recommendations,
15 observations, and findings reported by the department.

16 (e) In making security project or other funding
17 decisions applicable to each seaport listed in s. 311.09, the
18 Legislature may consider as authoritative the annual report of
19 the Department of Law Enforcement required by this section,
20 especially regarding each seaport's degree of substantial
21 compliance with the statewide minimum security standards
22 established by this section.

23 (5) ~~Nothing in~~ This section does not prevent ~~shall be~~
24 ~~construed as preventing~~ any seaport from implementing security
25 measures that are more stringent, greater than, or
26 supplemental to the statewide minimum standards established by
27 this section except that, for purposes of employment and
28 access, each seaport shall adhere to the requirements provided
29 in paragraph ~~(3)(e)(3)(c)~~ and may ~~shall~~ not exceed statewide
30 minimum requirements.
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1 (6) When funds are appropriated for seaport security,
2 the Office of Drug Control and the Florida Seaport
3 Transportation and Economic Development Council shall mutually
4 determine the allocation of these ~~such~~ funds for security
5 project needs identified in the approved seaport security
6 plans required by this section. Any seaport that receives
7 state funds for security projects must enter into a joint
8 participation agreement with the appropriate state entity and
9 must use the seaport security plan developed under ~~pursuant to~~
10 this section as the basis for the agreement. If funds are made
11 available over more than one fiscal year, the ~~such~~ agreement
12 must reflect the entire scope of the project approved in the
13 security plan and, as practicable, allow for reimbursement for
14 authorized projects over more than 1 year. The joint
15 participation agreement may include specific timeframes for
16 completion of a security project and the applicable funding
17 reimbursement dates. The joint participation agreement may
18 also require a contractual penalty, not to exceed \$1,000 per
19 day, to be imposed for failure to meet project completion
20 dates provided state funding is available. Any ~~such~~ penalty
21 shall be deposited into the State Transportation Trust Fund to
22 be used for seaport security operations and capital
23 improvements.

24 Section 2. Section 311.125, Florida Statutes, is
25 amended to read:

26 311.125 Uniform Port Access Credential System.--

27 (1) By July 1, 2004, each seaport identified in s.
28 311.09 and subject to the statewide minimum seaport security
29 standards set forth in s. 311.12 shall ~~be required to~~ use a
30 Uniform Port Access Credential Card that is to be used
31 ~~utilized~~ in the operation of the state Uniform Port Access

1 | Credential System as required herein. All Uniform Port Access
2 | Credential Cards shall be issued by the Department of Highway
3 | Safety and Motor Vehicles to the designated port authority, or
4 | recognized governing board, of the requesting seaport for
5 | distribution to the credential applicant.

6 | (2)(a) The Department of Highway Safety and Motor
7 | Vehicles, in consultation with the Department of Law
8 | Enforcement, the Florida Seaport Transportation and Economic
9 | Development Council, the Florida Trucking Association, and the
10 | United States Transportation Security Administration shall
11 | develop a Uniform Port Access Credential System for use in
12 | onsite verification of access authority for all persons on a
13 | seaport as defined in s. 311.12(2), using ~~utilizing~~ the
14 | Uniform Port Access Credential Card as authorized herein. Each
15 | seaport, in a manner consistent with the "Port Security
16 | Standards Compliance Plan" delivered to the Speaker of the
17 | House of Representatives and the President of the Senate on
18 | December 11, 2000, under ~~pursuant to~~ s. 311.12, and this
19 | section, is responsible for granting, restricting, or
20 | modifying access authority provided to each Uniform Port
21 | Access Credential Card holder and promptly communicating the
22 | levels of access or changes in the level of access to the
23 | department for its use in administering the Uniform Port
24 | Access Credential System. Each seaport is responsible for the
25 | proper operation and maintenance of the Uniform Port Access
26 | Credential Card reader and access verification utilizing the
27 | Uniform Port Access Credential System at its location. The
28 | Uniform Port Access Credential Card reader and Uniform Port
29 | Access Credential System shall be used ~~utilized~~ by each
30 | seaport to ensure compliance with the access restrictions
31 | provided by s. 311.12.

1 (b) The system shall be designed to conform, as
2 closely as possible, with criteria established by the United
3 States Transportation Security Administration for a
4 Transportation Worker Identification Card, or similar
5 identification, as required by federal law. The system shall,
6 at a minimum, consist of:

7 1. A centralized, secure database for collecting and
8 maintaining fingerprints and other biometric means of
9 identity, and other information pertaining to personal
10 identification of persons working on, or doing business at, a
11 Florida seaport as set forth in s. 311.12;

12 2. A methodology for receiving data from each port and
13 transmitting data to each port regarding access permissions;

14 3. Technology required for each gate and portal at
15 each seaport to be interactive with the Uniform Port Access
16 Credential System during all hours of operation;

17 4. The ability to identify persons who have violated
18 the access requirements of s. 311.12 and to deactivate the
19 access permissions of those persons; and

20 5. The ability to use ~~utilize~~ the Uniform Port Access
21 Credential Card in a manner consistent herein.

22
23 ~~The Such~~ system shall be designed to ensure the credentialed
24 cardholders' privacy in a manner consistent with the state's
25 security requirements as provided herein.

26 (3) The Uniform Port Access Credential Card must
27 include at a minimum a digital fullface photograph, a digital
28 fingerprint, a multilayered security process, a
29 two-dimensional barcode with technology specifications that
30 will allow the unique biometric identifiers to reside in the
31 barcode, a unique identifying code or number, scanning

1 capability to compare required identifiers with information on
2 file in the central database, and background color
3 differentials for visual identification of access permissions.

4 (4) A fingerprint-based criminal history check shall
5 be performed on an applicant for a Uniform Port Access
6 Credential Card as provided in s. 311.12(3). Based upon review
7 of the criminal history check, each seaport may determine the
8 specific access permissions that will be granted to that
9 applicant. Upon receipt of a port authority "Notification of
10 Access Permission" form and a verification of the criminal
11 history check, the department shall issue a Uniform Port
12 Access Credential Card to the port authority for distribution
13 to the applicant.

14 (5) A Uniform Port Access Credential Card is valid for
15 4 years following the date of issuance. Criminal history
16 checks may be performed on a random basis, but at least once a
17 year, during the period that the ~~such~~ credential card is
18 active to ensure that the credential holder complies with the
19 requirements for access to restricted areas provided in s.
20 311.12(3). Failure to complete any part of the required
21 credential application process, or failure to comply with the
22 criminal history clearances, shall be grounds for immediate
23 denial of access. In addition to access authority granted to
24 seaports, access authority may be restricted or revoked by the
25 Department of Highway Safety and Motor Vehicles or the
26 Department of Law Enforcement if the cardholder is suspected
27 of criminal violations that could affect the security of a
28 port or that otherwise render the cardholder ineligible for
29 port access, upon suspicion that the person in possession of
30 the card is using it, or attempting to use it, fraudulently,
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1 or if restriction or revocation is done to assure the security
2 of any port or portion thereof.

3 (6) Corporations, persons, or other business entities
4 that employ persons to work on, or do business at, seaports
5 regulated in s. 311.12 shall notify those seaports for which
6 those employees have access permissions in the event of the
7 employee's termination, resignation, work-related
8 incapacitation, or death. Uniform Port Access Credential Card
9 accesses for persons not currently employed to perform a job
10 on a seaport shall be placed in an inactive status. Upon
11 notification of a work status change, the port authority, or
12 recognized governing board, shall notify the department to
13 have the credential card placed in an inactive status.
14 Inactive status shall continue until the expiration of the
15 credential card or reactivation of the card by petition. The
16 former employee may have the credential card reactivated by
17 petitioning a seaport. The port authority, or recognized
18 governing board, of any seaport may determine that the
19 individual is employed by another appropriate entity or is
20 self-employed for purposes of performing work on the seaport.
21 Upon that determination, the port authority, or recognized
22 governing board, may request reactivation of credentialing
23 permissions. All these ~~such~~ cards may be restricted or revoked
24 as provided in subsection (5).

25 (7) Failure to report a change in work status, as
26 defined in this section, within 7 days after the action may
27 result in revocation of the business entity's access to the
28 seaport.

29 (8) Each person working on a seaport, as regulated in
30 s. 311.12(2), shall be issued a Uniform Port Access Credential
31 Card upon completion of the application process. Upon issuance

1 of the Uniform Port Access Credential Card, the cardholder is
2 eligible to enter a seaport in the system based on the level
3 of permission allowed by each respective seaport. A person
4 working in a restricted access area must meet the requirements
5 of s. 311.12(3). The Uniform Port Access Credential Card shall
6 be clearly marked for visual verification of the cardholder's
7 permission for access to a restricted area, under ~~pursuant to~~
8 subsection (3). The card must contain biometric verification
9 of the cardholder's identity and proper access permissions.
10 Entrance to a restricted access area, as defined in s.
11 311.12(2), shall require a machine check and fingerprint
12 verification of each person's Uniform Port Access Credential
13 Card for proper identification. Exit from any restricted
14 access area of a seaport shall require a machine check of the
15 credential card.

16 (9) Each person not producing a Uniform Port Access
17 Credential Card upon arrival at a restricted area of a seaport
18 must, at a minimum, stop at a check point, show valid
19 identification, and receive a visitor's pass in order to
20 proceed. The visitor's pass must be plainly displayed on the
21 person of the visitor or in the windshield of the vehicle and
22 designate what area of the seaport may be accessed by the
23 visitor. Failure to display the visitor's pass shall result in
24 revocation of a worker's permission to work on the seaport.
25 Public conveyances such as buses carrying passengers into
26 restricted access areas must be able to verify that all
27 passengers have legitimate business on the seaport. Procedures
28 for implementation of this process are the responsibility of
29 each seaport.

30 (10) The price of a Uniform Port Access Credential
31 Card shall be set by the department and shall reflect the cost

1 of the required criminal history checks, including the cost of
2 the initial state and federal fingerprint check and the annual
3 criminal history check and the cost of production and issuance
4 of the card by the department. A seaport may charge an
5 additional administrative fee to cover the costs of issuing
6 credentials to its employees and persons doing business at the
7 seaport.

8 (11) Each Uniform Port Access Credential Card remains
9 the property of the State of Florida. Any person possessing
10 ~~such~~ a card shall provide it to any law enforcement officer
11 upon request. A law enforcement officer having reasonable
12 suspicion to believe that a card is possessed or is being used
13 in violation of law or the standards provided by this section,
14 or in any other manner that raises a concern about the safety
15 and security of a seaport, may seize the card. A cardholder
16 has no cause of action against any law enforcement officer who
17 seizes a Uniform Port Access Credential Card.

18 (12) Each seaport defined in s. 311.09 and required to
19 meet the minimum security standards set forth in s. 311.12
20 shall comply with technology improvement requirements for the
21 activation of the Uniform Port Access Credential System no
22 later than July 1, 2004. Equipment and technology requirements
23 for the system shall be specified by the department no later
24 than July 1, 2003. The system shall be implemented at the
25 earliest possible time that all seaports have active
26 technology in place, but no later than July 1, 2004.

27 (13) The "Port Security Standards Compliance Plan"
28 delivered to the Speaker of the House of Representatives and
29 the President of the Senate on December 11, 2000, under
30 ~~pursuant to~~ s. 311.12, shall be updated by the Department of
31 Law Enforcement to reflect the changes made by this act.

1 (14) This section shall be contingent on the receipt
2 of the federal grant funds necessary to implement the Uniform
3 Port Access Credential System.

4 Section 3. This act shall take effect July 1, 2004.

5
6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 Senate Bill 2524

9
10 Provides that a seaport must include in its written notice of
11 disqualification for employment that the seaport's decision is
12 final agency action subject to review under Chapter 120, where
13 applicable, or if the seaport is not subject to Chapter 120,
14 that the seaport's decision is subject to judicial review in
15 circuit court.

16 Restores a provision in current law by increasing from 5 to 7
17 years the length of time a person must remain conviction-free
18 after release from incarceration before he or she may qualify
19 for employment or restricted area access. Provides that any
20 worker holding credentials allowing access on June 3, 2003,
21 who, but for the increase from 5 to 7 years as implemented by
22 provisions of Chapter 2003-96 and who is otherwise qualified
23 for seaport access shall not have qualified access
24 denied. This provision is repealed on June 4, 2005.
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