

Bill No. SB 1062

Barcode 090064

CHAMBER ACTION

Senate

House

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The Committee on Domestic Security (Diaz de la Portilla) recommended the following amendment:

Senate Amendment (with title amendment)

On page 2, line 2,

insert:

Section 1. Paragraph (e) is added to subsection (3) of section 311.12, Florida Statutes, to read:

311.12 Seaport security standards.--

(3)

(e) The Department of Law Enforcement shall establish a waiver process for allowing unescorted access to an individual who is found to be unqualified under paragraph (c) and denied employment by a seaport. The waiver consideration shall be based on the circumstances of any disqualifying act or offense, restitution made by the individual, and other factors from which it may be determined that the individual does not pose a risk of engaging in theft, drug trafficking, or terrorism within the public seaports regulated under this chapter or of harming the residents of this state. The waiver

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1 process shall begin when an individual who has been denied
2 initial employment within or regular unescorted access to
3 restricted areas on a public seaport as described in paragraph
4 (c) submits an application for a waiver, along with a
5 notarized letter or affidavit from the individual's employer
6 or union representative, which states the mitigating reasons
7 for initiating the waiver process. No later than 90 days after
8 receipt of the application, the administrative staff of the
9 Parole Commission shall conduct a factual review of the waiver
10 application. Findings of fact shall be transmitted to the
11 Department of Law Enforcement for review. The department shall
12 make a copy of those findings available to the applicant
13 before final disposition of the waiver request. The department
14 shall make a final disposition of the waiver request based on
15 the factual findings of the investigation by the Parole
16 Commission. The port authority that originally denied
17 employment and the waiver applicant shall be notified of the
18 final disposition of the waiver application by the department.
19 This review process is exempt from chapter 120.

20
21 (Redesignate subsequent sections.)

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23
24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 On page 1, lines 2 and 3, delete those lines,

27
28 and insert:

29 An act relating to seaport security; amending
30 s. 311.12, F.S.; requiring that the Department
31 of Law Enforcement establish a waiver process

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1 for allowing an individual, who is otherwise
2 unqualified, to be allowed unescorted access to
3 a seaport or restricted access area; requiring
4 that the administrative staff of the Parole
5 Commission review the facts of the waiver
6 application and transmit the findings to the
7 Department of Law Enforcement; requiring the
8 department to make a final disposition of the
9 application and notify the applicant and the
10 port authority that denied employment to the
11 applicant; exempting the review from ch. 120,
12 F.S.; creating s.

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