

Bill No. SB 738

Barcode 072264

CHAMBER ACTION

Senate

House

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11 The Committee on Criminal Justice (Smith) recommended the  
12 following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause,

and insert:

Section 1. Paragraphs (a) and (b) of subsection (1) of section 943.11, Florida Statutes, are amended to read:

943.11 Criminal Justice Standards and Training

Commission; membership; meetings; compensation.--

(1)(a) There is created a Criminal Justice Standards and Training Commission within the Department of Law Enforcement. The commission shall be composed of 19 members, consisting of the Secretary ~~of the Department~~ of Corrections or a designated assistant; the Attorney General or a designee; the Director of the Division of the Florida Highway Patrol; and 16 members appointed by the Governor, consisting of 3 sheriffs; 3 chiefs of police; 5 law enforcement officers who are of the rank of sergeant or below within the employing agency; 2 correctional officers, 1 of whom is an administrator

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1 of a state correctional institution and 1 of whom is of the  
2 rank of sergeant or below within the employing agency; 1  
3 training center director; 1 person who is in charge of a  
4 county correctional institution; and 1 resident of the state  
5 who falls into none of the foregoing classifications. Prior to  
6 the appointment, the sheriff, chief of police, law enforcement  
7 officer, and correctional officer members must ~~shall~~ have had  
8 at least 4 years' experience as law enforcement officers or  
9 correctional officers.

10 (b) The Governor, in making appointments under this  
11 section, shall take into consideration representation by  
12 geography, population, and other relevant factors in order  
13 that the representation on the commission be apportioned to  
14 give representation to the state at large rather than to a  
15 particular area. Of the appointed members, and except for  
16 correctional officers of a state institution, there may be  
17 only one appointment from any employing agency.

18 1. In appointing the 3 sheriffs, the Governor shall  
19 choose each appointment from a list of 6 nominees submitted by  
20 the Florida Sheriff's Association. The Sheriffs Association  
21 shall submit its list of 6 nominees at least 3 months before  
22 the expiration of the term of any sheriff member.

23 2. In appointing the 3 police chiefs, the Governor  
24 shall choose each appointment from a list of 6 nominees  
25 submitted by the Florida Police Chief's Association. The  
26 Chiefs Association shall submit its list of 6 nominees at  
27 least 3 months before the expiration of the term of any police  
28 chief member. Except as provided in subparagraph 3., in  
29 appointing the 5 law enforcement officers and 1 correctional  
30 officer of the rank of sergeant or below, the Governor shall  
31 choose each appointment from a list of 6 nominees submitted by

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1 an eligible law enforcement organization. The eligible law  
2 enforcement organization shall submit its list of 6 nominees  
3 at least 3 months before the expiration of the term of any law  
4 enforcement or correctional member of the rank of sergeant or  
5 below. In order to be an eligible organization to submit a  
6 list of nominees for an appointment, a law enforcement  
7 organization must be a collective bargaining agent for  
8 certified law enforcement and correctional bargaining units  
9 coming under the jurisdiction of the Public Employees  
10 Relations Commission and must represent at least 20 percent of  
11 all such bargaining units. The number of appointees allotted  
12 to each eligible organization from the 6 appointments shall be  
13 in direct proportion to the aggregate number of actively  
14 certified law enforcement and correctional bargaining units  
15 represented by the respective eligible organizations,  
16 inclusive of all chapters, charters and other subdivisions,  
17 and be based on the total number of such certified bargaining  
18 units as of May 1 of each year. The eligible organization with  
19 the largest number of bargaining units shall submit its  
20 nominees first, with other eligible organizations, thereafter  
21 and in descending order of size, submitting nominees for the  
22 remaining allotment of appointees. This paragraph does not  
23 require membership in a labor organization as the basis for  
24 placement on a list of appointees. In addition, at least one  
25 of the 6 nominees for each of the five appointees who are law  
26 enforcement officers must be an officer who is not in a  
27 collective bargaining unit represented by the nominating  
28 organization.

29 3. In appointing any of the 5 law enforcement officers  
30 who are of the rank of sergeant or below, the Governor may  
31 receive and consider an application for appointment from any

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1 law enforcement officer who is qualified for and seeks  
2 appointment and may appoint that law enforcement officer.

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

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7 ===== T I T L E A M E N D M E N T =====

8 And the title is amended as follows:

9 Delete everything before the enacting clause,

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11 and insert:

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A bill to be entitled

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An act relating to the Criminal Justice

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Standards and Training Commission; amending s.

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943.11, F.S.; requiring that the members of the

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commission who are law enforcement officers and

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correctional officers and who are appointed by

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the Governor be chosen from a list of nominees

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submitted by the collective bargaining agents

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certified by the Public Employees Relations

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Commission; providing an exception for the

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appointment of any qualified law enforcement

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officer who seeks appointment to the

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commission; requiring the members of the

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commission who are sheriffs and who are

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appointed by the Governor be chosen from a list

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of nominees submitted by the Florida Sheriffs

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Association; requiring that the members of the

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commission who are police chiefs and who are

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appointed by the Governor be chosen from a list

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of nominees submitted by the Florida Police

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1 Chief's Association; providing an effective  
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