

1 A bill to be entitled
 2 An act relating to the Division of Alcoholic Beverages and
 3 Tobacco; amending s. 20.165, F.S.; requiring each employee
 4 serving as a law enforcement officer for the division to
 5 meet the qualifications of a law enforcement officer set
 6 forth in ch. 943, F.S., for employment or appointment;
 7 requiring each such employee to be certified as a law
 8 enforcement officer by the Department of Law Enforcement;
 9 providing the law enforcement officer with certain powers,
 10 authority, and jurisdiction; specifying the primary and
 11 secondary responsibilities for law enforcement officers of
 12 the division; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Paragraph (b) of subsection (9) of section
 17 20.165, Florida Statutes, is amended to read:

18 20.165 Department of Business and Professional
 19 Regulation.--There is created a Department of Business and
 20 Professional Regulation.

21 (9)

22 (b) Each employee serving as a law enforcement officer for
 23 the division must meet the qualifications for employment or
 24 appointment as a law enforcement officer set forth under s.
 25 943.13 and must be certified as a law enforcement officer by the
 26 Department of Law Enforcement under chapter 943. Upon
 27 certification, each law enforcement officer is subject to and

28 has the same authority as provided for law enforcement officers
 29 generally in chapter 901 and has statewide jurisdiction. Each
 30 officer also has arrest authority as provided for state law
 31 enforcement officers in s. 901.15. Each officer possesses the
 32 full law enforcement powers granted to other peace officers of
 33 this state, including the authority to make arrests, carry
 34 firearms, serve court process, and seize contraband and the
 35 proceeds of illegal activities.

36 1. The primary responsibility of each officer appointed
 37 under this section is ~~All employees certified under chapter 943~~
 38 ~~as law enforcement officers shall have felony arrest powers~~
 39 ~~under s. 901.15(10) and shall have all the powers of deputy~~
 40 ~~sheriffs to:~~

41 ~~1. investigate, enforce, and prosecute, throughout the~~
 42 ~~state, violations and violators of:~~

43 ~~a. parts I and II of chapter 210,~~ part VII of chapter
 44 559, ~~and chapters 561-569,~~ and the rules adopted promulgated
 45 thereunder, as well as other state laws that which the division,
 46 all state law enforcement officers, or beverage enforcement
 47 agents are specifically authorized to enforce.

48 ~~2.b.~~ The secondary responsibility of each officer
 49 appointed under this section is to enforce all other state laws,
 50 provided that the enforcement is incidental to exercising the
 51 officer's primary responsibility as provided in subparagraph 1.,
 52 and the officer ~~employee~~ exercises the powers of a deputy
 53 sheriff, only after consultation or ~~and in~~ coordination with the
 54 appropriate local sheriff's office, ~~and only if the violation~~

55 ~~could result in an administrative proceeding against a license~~
56 ~~or permit issued by the division.~~

57 ~~2. Enforce all criminal laws of the state within specified~~
58 ~~jurisdictions when the division is a party to a written mutual~~
59 ~~aid agreement with a state agency, sheriff, or municipal police~~
60 ~~department, or when the division participates in the Florida~~
61 ~~Mutual Aid Plan during a declared state emergency.~~

62 Section 2. This act shall take effect July 1, 2006.