

By Senator Fasano

11-1323-06

See HB 609

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

A bill to be entitled

An act relating to law enforcement officers and  
correctional officers; amending s. 112.534,  
F.S.; providing for sanctions for violation of  
officers' rights in disciplinary proceedings;  
providing for rulemaking; providing an  
effective date.

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

Section 1. Subsection (1) of section 112.534, Florida  
Statutes, is amended to read:

112.534 Failure to comply; official misconduct.--

(1) If any law enforcement agency or correctional  
agency fails to comply with the requirements of this part, in  
addition to the civil action provided in s. 112.532(3), a law  
enforcement officer or correctional officer employed by or  
appointed to such agency:

(a) Who is personally injured by such failure to  
comply may apply directly to the circuit court of the county  
wherein such agency is headquartered and permanently resides  
for an injunction to restrain and enjoin such violation of the  
provisions of this part and to compel the performance of the  
duties imposed by this part.

(b) Whose rights under this part are violated may  
apply directly to the Criminal Justice Standards and Training  
Commission for an order imposing a fine not to exceed \$10,000  
for each violation of any provision of this part. A fine may  
be levied against the person committing the violation, that  
person's employing or appointing agency, or both. A second or  
subsequent violation may lead to disciplinary action up to and

1 including revocation of the violator's certification. The  
2 Criminal Justice Standards and Training Commission may adopt  
3 rules under ss. 120.536(1) and 120.54 for the implementation  
4 of this paragraph.

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

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31