

By Senator Smith

14-1381-06

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A bill to be entitled

An act relating to law enforcement officers and  
correctional officers; amending s. 112.532,  
F.S.; extending the limitations period for  
disciplinary actions during declared  
emergencies or natural disasters; providing an  
effective date.

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

Section 1. Paragraph (a) of subsection (6) of section  
112.532, Florida Statutes, is amended to read:

112.532 Law enforcement officers' and correctional  
officers' rights.--All law enforcement officers and  
correctional officers employed by or appointed to a law  
enforcement agency or a correctional agency shall have the  
following rights and privileges:

(6) LIMITATIONS PERIOD FOR DISCIPLINARY ACTIONS.--

(a) Except as provided in this subsection, no  
disciplinary action, demotion, or dismissal shall be  
undertaken by an agency against a law enforcement officer or  
correctional officer for any act, omission, or other  
allegation of misconduct if the investigation of such  
allegation is not completed within 180 days after the date the  
agency receives notice of the allegation by a person  
authorized by the agency to initiate an investigation of the  
misconduct. In the event that the agency determines that  
disciplinary action is appropriate, it shall complete its  
investigation and give notice in writing to the law  
enforcement officer or correctional officer of its intent to  
proceed with disciplinary action, along with a proposal of the

1 action sought. Such notice to the officer shall be provided  
2 within 180 days after the date the agency received notice of  
3 the alleged misconduct, except as follows:

4 1. The running of the limitations period may be tolled  
5 for a period specified in a written waiver of the limitation  
6 by the law enforcement officer or correctional officer.

7 2. The running of the limitations period shall be  
8 tolled during the time that any criminal investigation or  
9 prosecution is pending in connection with the act, omission,  
10 or other allegation of misconduct.

11 3. If the investigation involves an officer who is  
12 incapacitated or otherwise unavailable, the running of the  
13 limitations period shall be tolled during the period of  
14 incapacitation or unavailability.

15 4. In a multijurisdictional investigation, the  
16 limitations period may be extended for a period of time  
17 reasonably necessary to facilitate the coordination of the  
18 agencies involved.

19 5. The running of the limitations period shall be  
20 tolled during the time that a state of emergency within the  
21 jurisdiction of the affected agency has been declared by the  
22 Governor pursuant to s. 252.36 or by a county or municipality  
23 pursuant to s. 252.38.

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

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27 SENATE SUMMARY

28 Extends the limitations period for disciplinary actions  
29 against law enforcement officers or correctional officers  
30 during declared emergencies or natural disasters.  
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