

Bill No. CS for SB 2412

Barcode 294952

CHAMBER ACTION

Senate

House

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Comm: WD
04/04/2006 12:51 PM

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The Committee on Criminal Justice (Haridopolos) recommended
the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

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

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

(9)

(b) Each employee serving as a law enforcement officer
for the division must meet the qualifications for employment
or appointment as a law enforcement officer set forth under s.
943.13 and must be certified as a law enforcement officer by
the Department of Law Enforcement under of chapter 943. Upon
certification, each law enforcement officer is subject to and
has the same authority as provided for law enforcement
officers generally in chapter 901 and has statewide

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1 jurisdiction. Each officer also has arrest authority as
 2 provided for state law enforcement officers in s. 901.15. Each
 3 officer possesses the full law enforcement powers granted to
 4 other peace officers of this state, including the authority to
 5 make arrests, carry firearms, serve court process, and seize
 6 contraband and the proceeds of illegal activities.

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

12 ~~1. investigate, enforce, and prosecute, throughout the~~
 13 ~~state, violations and violators of:~~

14 ~~a. parts I and II of chapter 210, part VII of chapter~~
 15 ~~559, and chapters 561-569, and the rules adopted promulgated~~
 16 ~~thereunder, as well as other state laws that which the~~
 17 ~~division, all state law enforcement officers, or beverage~~
 18 ~~enforcement agents are specifically authorized to enforce.~~

19 2.b. The secondary responsibility of each officer
 20 appointed under this section is to enforce all other state
 21 laws, provided that the enforcement is incidental to
 22 exercising the officer's primary responsibility as provided in
 23 subparagraph 1. and the officer ~~employee~~ exercises the powers
 24 of a deputy sheriff, only after consultation or ~~and in~~
 25 ~~coordination with the appropriate local sheriff's office, and~~
 26 ~~only if the violation could result in an administrative~~
 27 ~~proceeding against a license or permit issued by the division.~~

28 ~~2. Enforce all criminal laws of the state within~~
 29 ~~specified jurisdictions when the division is a party to a~~
 30 ~~written mutual aid agreement with a state agency, sheriff, or~~
 31 ~~municipal police department, or when the division participates~~

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1 in the Florida Mutual Aid Plan during a declared state
2 emergency.

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

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

7 And the title is amended as follows:

8 Delete everything before the enacting clause

9

10 and insert:

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A bill to be entitled

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An act relating to the Division of Alcoholic

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Beverages and Tobacco; amending s. 20.165,

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F.S.; requiring each employee serving as a law

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enforcement officer for the division to meet

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the qualifications of a law enforcement officer

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set forth in ch. 943, F.S., for employment or

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appointment; requiring each such employee to be

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certified as a law enforcement officer by the

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Department of Law Enforcement; providing the

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law enforcement officer with certain powers,

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authority, and jurisdiction; specifying the

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primary and secondary responsibilities of law

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enforcement officers of the division; providing

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an effective date.

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