

Bill No. SB 410

Barcode 135530

CHAMBER ACTION

Senate

House

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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. Subsection (6) of section 943.13, Florida  
Statutes, is amended to read:

943.13 Officers' minimum qualifications for employment  
or appointment.--On or after October 1, 1984, any person  
employed or appointed as a full-time, part-time, or auxiliary  
law enforcement officer or correctional officer; on or after  
October 1, 1986, any person employed as a full-time,  
part-time, or auxiliary correctional probation officer; and on  
or after October 1, 1986, any person employed as a full-time,  
part-time, or auxiliary correctional officer by a private  
entity under contract to the Department of Corrections, to a  
county commission, or to the Department of Management Services  
shall:

(6)(a) Have passed a physical examination by a

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1 licensed physician, physician assistant, or certified advanced  
2 registered nurse practitioner, based on specifications  
3 established by the commission.

4       (b) In order to be eligible for the presumption set  
5 forth in s. 112.18 while employed with an employing agency, a  
6 law enforcement officer, correctional officer, or correctional  
7 probation officer shall have successfully passed the physical  
8 examination required by paragraph (a) upon entering into  
9 service as a law enforcement officer, correctional officer, or  
10 correctional probation officer with the employing agency,  
11 which examination failed to reveal any evidence of  
12 tuberculosis, heart disease, or hypertension. In no event may  
13 a law enforcement officer, correctional officer, or  
14 correctional probation officer use a physical examination from  
15 a former employing agency for purposes of claiming the  
16 presumption set forth in s. 112.18 against the current  
17 employing agency.

18           Section 2. Subsection (1) of section 943.137, Florida  
19 Statutes, is amended to read:

20           943.137 Establishment of qualifications and standards  
21 above the minimum.--

22           (1) Nothing herein may be construed to preclude an  
23 employing agency from establishing qualifications and  
24 standards for employment, appointment, training, or promotion  
25 of officers that exceed the minimum requirements set by ss.  
26 943.13 and 943.17, including establishing tobacco-use  
27 standards.

28           Section 3. This act shall take effect October 1, 2006.

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

2 And the title is amended as follows:

3           Delete everything before the enacting clause

4

5 and insert:

6                           A bill to be entitled

7           An act relating to employment requirements for  
8           law enforcement personnel; amending s. 943.13,  
9           F.S.; revising the presumption of disability  
10          for certain law enforcement, correctional, and  
11          correctional probation officers; amending s.  
12          943.137, F.S.; authorizing the establishment of  
13          tobacco-use standards; providing an effective  
14          date.

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