

CHAMBER ACTION

1 The State Administration Council recommends the following:

2 **Council/Committee Substitute**

3 Remove the entire bill and insert:

4 A bill to be entitled

5 An act relating to seaport security; creating s. 311.111,
6 F.S.; requiring each seaport authority or governing board
7 of a seaport that is subject to the statewide minimum
8 seaport security standards to designate and identify
9 security area designations, access requirements, and
10 security enforcement authorizations on seaport premises
11 and in seaport security plans; providing that any part of
12 a port's property may be designated as a restricted access
13 area under certain conditions; amending s. 311.12, F.S.;
14 revising purpose of security plans maintained by seaports;
15 requiring periodic plan revisions; requiring plans to be
16 inspected for compliance by the Office of Drug Control and
17 the Department of Law Enforcement based upon specified
18 standards; providing requirements with respect to
19 protection standards in specified restricted areas;
20 requiring delivery of the plan to specified entities;
21 requiring the Department of Law Enforcement to inspect
22 every seaport within the state to determine if all
23 security measures adopted by the seaport are in compliance

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24 | with seaport security standards; requiring a report;
25 | authorizing seaports to request review by the Domestic
26 | Security Oversight Council of the findings in a Department
27 | of Law Enforcement inspection report; limiting the
28 | findings which the council is authorized to review;
29 | requiring the Department of Law Enforcement to establish
30 | by rule a waiver process to grant certain individuals
31 | unescorted access to seaports or restricted access areas
32 | under certain circumstances; providing waiver process
33 | requirements; requiring the administrative staff of the
34 | Parole Commission to review the waiver application and
35 | transmit the findings to the department; requiring the
36 | department to make a final disposition of the application
37 | and notify the applicant and the seaport; providing
38 | procedures and requirements with respect to waiver of any
39 | physical facility requirement or other requirement
40 | contained in the statewide minimum standards for seaport
41 | security; providing a penalty for possession of a
42 | concealed weapon while on seaport property in a designated
43 | restricted area; creating the Seaport Standards Security
44 | Advisory Council under the Office of Drug Control within
45 | the Executive Office of the Governor; providing
46 | membership, terms, organization, and meetings of the
47 | council; requiring the Office of Drug Control to convene
48 | the Seaport Security Standards Advisory Council to review
49 | the statewide minimum standards for seaport security;
50 | requiring periodic review of the statewide minimum
51 | standards for seaport security to be conducted by the

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52 | council; creating s. 311.121, F.S.; providing legislative
53 | intent with respect to the employment by seaports of
54 | certified law enforcement officers and certified private
55 | security officers; providing authority of seaports and
56 | requirements of the Department of Law Enforcement with
57 | respect to such intent; requiring the authority or
58 | governing board of each seaport that is subject to
59 | statewide minimum seaport security standards to impose
60 | specified requirements for certification as a seaport
61 | security officer; creating the Seaport Security Officer
62 | Qualification, Training, and Standards Coordinating
63 | Council under the Department of Law Enforcement; providing
64 | membership and organization of the council; providing
65 | terms of members; providing duties and authority of the
66 | council; requiring the Department of Education to develop
67 | curriculum recommendations and specifications of the
68 | council into initial and continuing education and training
69 | programs for seaport security officer certification;
70 | providing requirements and procedures with respect to such
71 | training programs; providing requirements and procedures
72 | with respect to certification as a seaport security
73 | officer; providing requirements for renewal of inactive or
74 | revoked certification; creating s. 311.122, F.S.;
75 | authorizing each seaport in the state to create a seaport
76 | law enforcement agency for its facility; providing
77 | requirements of an agency; requiring certification of an
78 | agency; providing requirements with respect to the
79 | composition of agency personnel; providing powers of

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80 seaport law enforcement agency officers and seaport
 81 security officers; creating s. 311.123, F.S.; providing
 82 for the creation of a maritime domain security awareness
 83 training program; providing purpose of the program;
 84 providing program training curriculum requirements;
 85 creating s. 311.124, F.S.; providing authority of seaport
 86 security officers to detain persons suspected of
 87 trespassing in a designated restricted area of a seaport;
 88 providing immunity from specified criminal or civil
 89 liability; creating s. 817.021, F.S.; providing a criminal
 90 penalty for willfully and knowingly providing false
 91 information in obtaining or attempting to obtain a seaport
 92 security identification card; providing an effective date.

93
 94 Be It Enacted by the Legislature of the State of Florida:

95
 96 Section 1. Section 311.111, Florida Statutes, is created
 97 to read:

98 311.111 Security area designations; access requirements;
 99 authority.--Each seaport authority or governing board of a
 100 seaport identified in s. 311.09 that is subject to the statewide
 101 minimum seaport security standards in s. 311.12 shall clearly
 102 designate in seaport security plans and clearly identify with
 103 appropriate signs and markers on the premises of a seaport the
 104 following security area designations, access requirements, and
 105 corresponding security enforcement authorizations, which may
 106 include, but not be limited to, clear notice of the prohibition

107 on possession of concealed weapons and other contraband material
108 on the premises of the seaport:

109 (1) UNRESTRICTED PUBLIC ACCESS AREA.--An unrestricted
110 public access area of a seaport is open to the general public
111 without a seaport identification card other than that required
112 as a condition of employment by a seaport director.

113 (2) RESTRICTED PUBLIC ACCESS AREA.--A restricted public
114 access area of a seaport is open to the public for a specific
115 purpose via restricted access and open to individuals working on
116 the seaport, seaport employees, or guests who have business with
117 the seaport. Any person found in these areas without the proper
118 level of identification card is subject to the trespass
119 provisions of ss. 810.08 and 810.09 and this chapter. All
120 persons and objects in these areas are subject to search by a
121 sworn state-certified law enforcement officer, a Class D seaport
122 security officer certified under Maritime Transportation
123 Security Act guidelines and s. 311.121, or an employee of the
124 seaport security force certified under the Maritime
125 Transportation Security Act guidelines and s. 311.121.

126 (3) RESTRICTED ACCESS AREA.--A restricted access area of a
127 seaport is open only to individuals working on the seaport,
128 seaport employees, or guests who have business with the seaport.
129 Any person found in these areas without the proper level of
130 identification card is subject to the trespass provisions of ss.
131 810.08 and 810.09 and this chapter. All persons and objects in
132 these areas are subject to search by a sworn state-certified law
133 enforcement officer, a Class D seaport security officer
134 certified under Maritime Transportation Security Act guidelines

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135 and s. 311.121, or an employee of the seaport security force
136 certified under the Maritime Transportation Security Act
137 guidelines and s. 311.121.

138 (4) SECURED RESTRICTED ACCESS AREA.--A secured restricted
139 access area of a seaport is open only to individuals working on
140 the seaport, seaport employees, or guests who have business with
141 the seaport and is secured at each point of access at all times
142 by a Class D seaport security officer certified under the
143 Maritime Transportation Security Act, a sworn state-certified
144 law enforcement officer, or an employee of the port's security
145 force certified under the Maritime Transportation Security Act.
146 Any person found in these areas without the proper level of
147 identification card is subject to the trespass provisions of ss.
148 810.08 and 810.09 and this chapter. All persons and objects in
149 these areas are subject to search by a Class D seaport security
150 officer certified under Maritime Transportation Security Act
151 guidelines and s. 311.121, a sworn state-certified law
152 enforcement officer, or an employee of the seaport security
153 force certified under the Maritime Transportation Security Act
154 guidelines and s. 311.121.

155 (5) TEMPORARY DESIGNATION.--During a period of high
156 terrorist threat level designated by the United States
157 Department of Homeland Security or the Florida Department of Law
158 Enforcement or during an emergency declared at a port by the
159 seaport security director due to events applicable to that
160 particular port, the management or controlling authority of the
161 port may temporarily designate any part of the port property as
162 a restricted access area or a secured restricted access area.

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163 The duration of such designation is limited to the period in
164 which the high terrorist threat level is in effect or a port
165 emergency exists. Subsections (3) and (4) do not limit the power
166 of the managing or controlling authority of a seaport to
167 designate any port property as a restricted access area or a
168 secured restricted access area as otherwise provided by law.

169 Section 2. Subsection (2) and paragraph (b) of subsection
170 (4) of section 311.12, Florida Statutes, are amended, paragraph
171 (e) is added to subsection (3), and subsections (7) and (8) are
172 added to that section, to read:

173 311.12 Seaport security standards; inspections;
174 compliance; appeals.--

175 (2)(a) Each seaport identified in s. 311.09 shall maintain
176 a security plan to provide for a secure seaport infrastructure
177 specific to that seaport that shall promote the safety and
178 security of the residents and visitors of the state and promote
179 the flow of legitimate trade and travel. Commencing January 1,
180 2007, and every 5 years thereafter, the seaport director of each
181 seaport, with the assistance of the Regional Domestic Security
182 Task Force and in conjunction with the United States Coast
183 Guard, shall revise the seaport security plan based on the
184 results of continual, quarterly assessments by the seaport
185 director of security risks and possible risks related to
186 terrorist activities and relating to the specific and
187 identifiable needs of the seaport which assures that the seaport
188 is in substantial compliance with the statewide minimum
189 standards established pursuant to subsection (1).

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190 (b) Each plan adopted or revised pursuant to this
191 subsection shall be inspected for compliance and must be
192 reviewed and approved by the Office of Drug Control and the
193 Department of Law Enforcement based solely upon the standards as
194 set forth under the most current Maritime Transportation
195 Security Act, 33 C.F.R. s. 105.305, and the statewide minimum
196 standards established pursuant to subsection (1). All such
197 seaports shall allow unimpeded access by the Department of Law
198 Enforcement to the affected facilities for purposes of plan or
199 compliance inspections or other operations authorized by this
200 section.

201 (c) Each seaport security plan shall ~~may~~ establish
202 unrestricted and restricted access areas within the seaport
203 consistent with the requirements of the statewide minimum
204 standards and the provisions of s. 311.111. In such cases, a
205 Uniform Port Access Credential Card, authorizing restricted-area
206 access, shall be required for any individual working within or
207 authorized to regularly enter a restricted access area and the
208 requirements in subsection (3) relating to criminal history
209 checks and employment restrictions shall be applicable only to
210 employees or other persons working within or authorized to
211 regularly enter a restricted access area. Every seaport security
212 plan shall set forth the conditions and restrictions to be
213 imposed upon others visiting the port or any restricted access
214 area sufficient to provide substantial compliance with the
215 statewide minimum standards. As determined by the seaport
216 director's most current risk assessment report, any restricted
217 access area with a potential human occupancy of 50 persons or

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218 more, any cruise terminal, or any business operation that is
219 adjacent to an unrestricted public access area shall be
220 protected from the most probable and creditable terrorist threat
221 to human life by the use of the methods and principles contained
222 within Federal Emergency Management Agency, Risk Management
223 Series, "Reference Manual to Mitigate Potential Terrorist
224 Attacks Against Buildings" (FEMA 426) and the Federal Emergency
225 Management Agency, Risk Management Series, "Risk Assessment: A
226 How-To Guide to Mitigate Potential Terrorist Attacks Against
227 Buildings" (FEMA 452).

228 (d) Within 30 days after the completion of the seaport's
229 security plan inspection by the Department of Law Enforcement,
230 it shall be delivered to the United States Coast Guard, the
231 Regional Domestic Security Task Force, and the Domestic Security
232 Oversight Council.

233 (e) It is the intent of the Legislature that Florida's
234 seaports adhere to security practices that are consistent with
235 risks assigned to each seaport through the risk assessment
236 process established in this subsection. Therefore, the
237 Department of Law Enforcement shall inspect every seaport within
238 the state to determine if all security measures adopted by the
239 seaport are in compliance with the standards set forth in this
240 chapter and shall submit the department's findings within 30
241 days after the inspection in a report to the Domestic Security
242 Oversight Council and the United States Coast Guard for review,
243 with requests to the Coast Guard for any necessary corrective
244 action.

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245 (f) A seaport may request review by the Domestic Security
246 Oversight Council of the findings in any Department of Law
247 Enforcement inspection report as they relate to the requirements
248 of this section. The Domestic Security Oversight Council may
249 review only those findings under this section that are in
250 specific dispute by the seaport. In reviewing the disputed
251 findings, the council may concur in the findings of the
252 department or the seaport or may recommend corrective action to
253 the seaport. The department and the seaport shall give great
254 weight to any findings and recommendations of the council.

255 (3)

256 (e) The Department of Law Enforcement shall establish by
257 rule a waiver process to allow unescorted access to an
258 individual who is found to be unqualified under paragraph (c)
259 and denied employment by a seaport. The waiver consideration
260 shall be based on the circumstances of any disqualifying act or
261 offense, restitution made by the individual, and other factors
262 from which it may be determined that the individual does not
263 pose a risk of engaging in theft, drug trafficking, or terrorism
264 within the public seaports regulated under this chapter or of
265 harming any person. The waiver process shall begin when an
266 individual who has been denied initial employment within or
267 regular unescorted access to restricted areas of a public
268 seaport as described in paragraph (c) submits an application for
269 a waiver and notarized letter or affidavit from the individual's
270 employer or union representative which states the mitigating
271 reasons for initiating the waiver process. No later than 90 days
272 after receipt of the application, the administrative staff of

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273 the Parole Commission shall conduct a factual review of the
274 waiver application. Findings of fact shall be transmitted to the
275 Department of Law Enforcement for review. The department shall
276 make a copy of those findings available to the applicant before
277 final disposition of the waiver request. The department shall
278 make a final disposition of the waiver request based on the
279 factual findings of the investigation by the Parole Commission.
280 The department shall notify the waiver applicant and the port
281 authority that originally denied employment to the applicant of
282 the final disposition of the waiver.

283 (4)

284 (b) The Office of Drug Control and the executive director
285 of the Department of Law Enforcement may modify or waive any
286 physical facility requirement or other requirement contained in
287 the statewide minimum standards for seaport security upon a
288 finding or other determination that the purposes of the
289 standards have been reasonably met or exceeded by the seaport
290 requesting the modification or waiver. Alternate means of
291 compliance may not in any way diminish the safety or security of
292 the seaport and shall be verified through an extensive risk
293 analysis conducted by the port director. Waivers shall be
294 submitted in writing with supporting documentation to the Office
295 of Drug Control and the Department of Law Enforcement. The
296 Office of Drug Control and the Department of Law Enforcement
297 shall have 90 days to jointly grant the waiver or reject the
298 waiver in whole or in part. Waivers not granted within 90 days
299 or jointly rejected shall be submitted by the seaport to the
300 Domestic Security Oversight Council for review. The Domestic

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301 Security Oversight Council shall recommend that the Office of
302 Drug Control and the Department of Law Enforcement grant the
303 waiver or reject the waiver in whole or in part. The Office of
304 Drug Control and the Department of Law Enforcement shall give
305 great weight to any recommendations of the Domestic Security
306 Oversight Council. Waivers submitted for standards established
307 under s. 311.122(3) shall not be granted for percentages below
308 10 percent. Such modifications or waivers shall be noted in the
309 annual report submitted by the Department of Law Enforcement
310 pursuant to this subsection.

311 (7) Any person who has in his or her possession a
312 concealed weapon, or who operates or has possession or control
313 of a vehicle in or upon which a concealed weapon is placed or
314 stored, while in a designated restricted area on seaport
315 property commits a misdemeanor of the first degree, punishable
316 as provided in s. 775.082 or s. 775.083. This subsection does
317 not apply to active-duty certified federal or state law
318 enforcement personnel, or persons so designated by the seaport
319 director in writing.

320 (8)(a) The Seaport Security Standards Advisory Council is
321 created under the Office of Drug Control. The council shall
322 serve as an advisory council under s. 20.03(7).

323 (b)1. The members of the Seaport Security Standards
324 Advisory Council shall be appointed by the Governor and consist
325 of the following:

- 326 a. Two seaport directors.
327 b. Two seaport security directors.
328 c. One designee from the Department of Law Enforcement.

329 d. One designee from the Office of Motor Carrier
 330 Compliance of the Department of Transportation.

331 e. One designee from the Attorney General's Office.

332 f. One designee from the Department of Agriculture and
 333 Consumer Services.

334 g. One designee from the Office of Tourism, Trade, and
 335 Economic Development.

336 h. One designee from the Office of Drug Control.

337 2. In addition to the members designated in subparagraph
 338 1., the council may invite a representative of the United States
 339 Coast Guard to attend and participate in council meetings as an
 340 ex officio, nonvoting member of the council.

341 (c) Members of the council shall serve for terms of 4
 342 years. A vacancy shall be filled by the original appointing
 343 authority for the balance of the unexpired term.

344 (d) The Seaport Security Standards Advisory Council shall
 345 be chaired by a designee from the Office of Drug Control. The
 346 council shall meet upon the call of the chair and at least once
 347 every 5 years.

348 (e) Commencing on January 15, 2007, and at least every 4
 349 years thereafter, the Office of Drug Control shall convene the
 350 Seaport Security Standards Advisory Council to review the
 351 statewide minimum standards. The Seaport Security Standards
 352 Advisory Council shall review the statewide minimum standards
 353 for seaport security for applicability to and effectiveness in
 354 combating current narcotics and terrorism threats to Florida's
 355 seaports. All sources of information allowed by law shall be

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356 utilized in assessing the applicability and effectiveness of the
357 standards.

358 (f) Seaport Security Standards Advisory Council members
359 shall serve without pay; however, per diem and travel allowances
360 may be claimed for attendance of officially called meetings as
361 provided by s. 112.061.

362 (g) The Seaport Security Standards Advisory Council shall
363 consult with the appropriate area maritime security committees
364 to assess possible impacts to commerce and trade contained in
365 the council's non-classified recommendations and findings.

366 (h) Recommendations and findings of the council shall be
367 transmitted to the Governor, the Speaker of the House of
368 Representatives, and the President of the Senate.

369 Section 3. Section 311.121, Florida Statutes, is created
370 to read:

371 311.121 Qualifications, training, and certification of
372 licensed security officers at Florida seaports.--

373 (1) It is the intent of the Legislature that seaports in
374 the state be able to mitigate operational security costs without
375 reducing security levels by employing a combination of certified
376 law enforcement officers and certified private security service
377 officers. In order to accomplish this intent, seaports shall
378 have the option to recruit and employ seaport security officers
379 who are trained and certified pursuant to the provisions of this
380 section. The Department of Law Enforcement shall adhere to this
381 intent in the approval and certification process for seaport
382 security required under s. 311.12.

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383 (2) The authority or governing board of each seaport
384 identified under s. 311.09 that is subject to the statewide
385 minimum seaport security standards established in s. 311.12
386 shall require that a candidate for certification as a seaport
387 security officer:

388 (a) Has received a Class D license as a security officer
389 under chapter 493.

390 (b) Has successfully completed the certified training
391 curriculum for a Class D license or has been determined by the
392 Department of Agriculture and Consumer Services to have
393 equivalent experience as established by rule of the department.

394 (c) Has completed the training or training equivalency and
395 testing process established by this section for becoming a
396 certified seaport security officer.

397 (3) (a) The Seaport Security Officer Qualification,
398 Training, and Standards Coordinating Council is created under
399 the Department of Law Enforcement.

400 (b)1. The executive director of the Department of Law
401 Enforcement shall appoint 11 members to the council which shall
402 include:

403 a. The seaport administrator of the Department of Law
404 Enforcement.

405 b. The chancellor of the Community College System.

406 c. The director of the Division of Licensing of the
407 Department of Agriculture and Consumer Services.

408 d. The administrator of the Florida Seaport Transportation
409 and Economic Development Council.

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410 e. Two seaport security directors from seaports designated
411 under s. 311.09.

412 f. One director of a state law enforcement academy.

413 g. One representative of a local law enforcement agency.

414 h. Two representatives of contract security services.

415 i. One representative of the Division of Driver Licenses
416 of the Department of Highway Safety and Motor Vehicles.

417 2. In addition to the members designated in subparagraph
418 1., the executive director may invite a representative of the
419 United States Coast Guard to attend and participate in council
420 meetings as an ex officio, nonvoting member of the council.

421 (c) Council members designated in sub-subparagraphs
422 (b)1.a.-d. shall serve for the duration of their employment or
423 appointment. Council members designated under sub-subparagraphs
424 (b)1.e.-i.. shall serve 4-year terms, except that the initial
425 appointment for the representative of a local law enforcement
426 agency, one representative of a contract security agency, and
427 one seaport security director from a seaport designated in s.
428 311.09 shall serve for terms of 2 years.

429 (d) The chancellor of the Community College System shall
430 serve as chair of the council.

431 (e) The council shall meet upon the call of the chair, and
432 at least once a year to update or modify curriculum
433 recommendations.

434 (f) Council members shall serve without pay; however, per
435 diem and travel allowances may be claimed for attendance of
436 officially called meetings as provided by s. 112.061.

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437 (g) By December 1, 2006, the council shall identify the
438 qualifications, training, and standards for seaport security
439 officer certification and recommend a curriculum for the seaport
440 security officer training program that shall include no less
441 than 218 hours of initial certification training and that
442 conforms to or exceeds model courses approved by the Federal
443 Maritime Act under Section 109 of the Federal Maritime
444 Transportation Security Act of 2002 for facility personnel with
445 specific security duties.

446 (h) The council may recommend training equivalencies that
447 may be substituted for portions of the required training.

448 (i) The council shall recommend a continuing education
449 curriculum of no less than 8 hours of additional training for
450 each annual licensing period.

451 (4) (a) The Department of Education shall develop the
452 curriculum recommendations and classroom-hour specifications of
453 the Seaport Security Officer Qualifications, Training, and
454 Standards Coordinating Council into initial and continuing
455 education and training programs for seaport security officer
456 certification.

457 (b) Such training programs shall be used by schools
458 licensed under s. 493.6304, and each instructor providing
459 training must hold a Class D license pursuant to s. 493.6301.

460 (c) A seaport authority or other organization involved in
461 seaport-related activities may apply to become a school licensed
462 under s. 493.6304.

463 (d) The training programs shall include proficiency
464 examinations that must be passed by each candidate for

465 certification who successfully completes the required hours of
466 training or provides proof of authorized training equivalencies.

467 (e) A candidate for certification must be provided with a
468 list of authorized training equivalencies in advance of
469 training; however, each candidate for certification must
470 successfully complete 20 hours of study specific to Florida
471 Maritime Security and pass the related portion of the
472 proficiency examination.

473 (5) Seaport security officer certificates shall be
474 provided by the Department of Agriculture and Consumer Services
475 for issuance by a school licensed under s. 493.6304 and such
476 school may issue the certificate to an applicant who has
477 successfully completed the training program. A school shall
478 notify the Division of Licensing within the department upon the
479 issuance of each certificate. The notification must include the
480 name and Class D license number of the certificate holder and a
481 copy of the certificate. The department shall place the
482 notification with the licensee's file. Notification may be
483 provided by electronic or paper format pursuant to instruction
484 of the Department of Agriculture and Consumer Services.

485 (6) (a) Upon completion of the certification process, a
486 person holding a Class D license must apply for a revised
487 license pursuant to s. 493.6107(2), which license shall state
488 that the licensee is certified as a seaport security officer.

489 (b) A person who has been issued a seaport security
490 officer certificate is authorized to perform duties specifically
491 required of a seaport security officer.

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492 (c) The certificate is valid for the duration of the
493 seaport security officer's Class D license and shall be renewed
494 upon renewal of the license.

495 (d) The certificate shall become void if the seaport
496 security officer's Class D license is revoked or allowed to
497 lapse for more than 1 year or if the licensee fails to complete
498 the annual continuing education requirement prior to expiration
499 of the Class D license.

500 (e) Renewal of certification following licensure
501 revocation or a lapse of longer than 1 year requires, at a
502 minimum, 20 hours of recertification training and reexamination
503 of the applicant.

504 Section 4. Section 311.122, Florida Statutes, is created
505 to read:

506 311.122 Seaport law enforcement agency; authorization;
507 requirements; powers; training.--

508 (1) Each seaport in the state is authorized to create a
509 seaport law enforcement agency for its facility, which authority
510 in no way precludes the seaport from contracting with local
511 governments or law enforcement agencies to comply with the
512 security standards required by this chapter.

513 (2) Each seaport law enforcement agency shall meet all of
514 the standards set by the state under certified law enforcement
515 guidelines and requirements and shall be certified as provided
516 under chapter 943.

517 (3) If a seaport creates a seaport law enforcement agency
518 for its facility, a minimum of 30 percent of the aggregate
519 personnel of each seaport law enforcement agency shall be sworn

520 state-certified law enforcement officers with additional
521 Maritime Transportation Security Act seaport training; a minimum
522 of 30 percent of on-duty personnel of each seaport law
523 enforcement agency shall be sworn state-certified law
524 enforcement officers with additional Maritime Transportation
525 Security Act seaport training; and at least one on-duty
526 supervisor must be a sworn state-certified law enforcement
527 officer with additional Maritime Transportation Security Act
528 seaport training.

529 (4) For the purposes of this chapter, where applicable,
530 seaport law enforcement agency officers shall have the same
531 powers as university police officers as provided in s. 1012.97;
532 however, such powers do not extend beyond the property of the
533 seaport except in connection with an investigation initiated on
534 seaport property or in connection with an immediate, imminent
535 threat to the seaport.

536 (5) For the purposes of this chapter, sworn state-
537 certified seaport security officers shall have the same law
538 enforcement powers with respect to the enforcement of traffic
539 laws on seaport property as university police officers under s.
540 1012.97, community college police officers under s. 1012.88, and
541 airport police officers under the provisions of s.
542 316.640(1)(a)1.d.(I)-(II).

543 (6) Certified seaport security officers shall have the
544 authority to immediately tow any vehicle parked illegally as
545 indicated by an existing sign or during an emergency as deemed
546 necessary to maintain seaport security.

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547 Section 5. Section 311.123, Florida Statutes, is created
548 to read:

549 311.123 Maritime domain security awareness training
550 program.--

551 (1) The Florida Seaport Transportation and Economic
552 Development Council, in conjunction with the Department of Law
553 Enforcement and the Office of Drug Control within the Executive
554 Office of the Governor, shall create a maritime domain security
555 awareness training program to instruct all personnel employed
556 within a seaport's boundaries about the security procedures
557 required of them for implementation of the seaport security
558 plan.

559 (2) The training program curriculum must include security
560 training required pursuant to 33 C.F.R. part 105 and must be
561 designed to enable the seaports in this state to meet the
562 training, drill, and exercise requirements of 33 C.F.R. part 105
563 and individual seaport security plans and to comply with the
564 requirements of s. 311.12 relating to security awareness.

565 Section 6. Section 311.124, Florida Statutes, is created
566 to read:

567 311.124 Trespassing; detention by a certified seaport
568 security officer.--

569 (1) Any Class D or Class G seaport security officer
570 certified under the Maritime Transportation Security Act
571 guidelines and s. 311.121 or any employee of the seaport
572 security force certified under the Maritime Transportation
573 Security Act guidelines and s. 311.121 who has probable cause to
574 believe that a person is trespassing pursuant to the provisions

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575 of s. 810.08 or s. 810.09 or this chapter in a designated
576 restricted area pursuant to s. 311.111 is authorized to detain
577 such person in a reasonable manner for a reasonable period of
578 time pending the arrival of a law enforcement officer, and such
579 action shall not render the security officer criminally or
580 civilly liable for false arrest, false imprisonment, or unlawful
581 detention.

582 (2) Upon detaining a person for trespass, the seaport
583 security officer shall immediately call a certified law
584 enforcement officer to the scene.

585 Section 7. Section 817.021, Florida Statutes, is created
586 to read:

587 817.021 False information to obtain a seaport security
588 identification card.--A person who willfully and knowingly
589 provides false information in obtaining or attempting to obtain
590 a seaport security identification card commits a felony of the
591 third degree, punishable as provided in s. 775.082 or s.
592 775.083.

593 Section 8. This act shall take effect July 1, 2006.