

1 A bill to be entitled

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

28 | access to seaports or restricted access areas under  
29 | certain circumstances; providing waiver process  
30 | requirements; requiring the administrative staff of the  
31 | Parole Commission to review the waiver application and  
32 | transmit the findings to the department; requiring the  
33 | department to make a final disposition of the application  
34 | and notify the applicant and the seaport; providing that  
35 | the waiver review process is exempt from the  
36 | Administrative Procedure Act; providing procedures and  
37 | requirements with respect to waiver of any physical  
38 | facility requirement or other requirement contained in the  
39 | statewide minimum standards for seaport security;  
40 | providing a penalty for possession of a concealed weapon  
41 | while on seaport property in a designated restricted area;  
42 | creating the Seaport Standards Security Advisory Council  
43 | under the Office of Drug Control within the Executive  
44 | Office of the Governor; providing membership, terms,  
45 | organization, and meetings of the council; requiring the  
46 | Office of Drug Control to convene the Seaport Security  
47 | Standards Advisory Council to review the statewide minimum  
48 | standards for seaport security; requiring periodic review  
49 | of the statewide minimum standards for seaport security to  
50 | be conducted by the council; creating s. 311.121, F.S.;  
51 | providing legislative intent with respect to the  
52 | employment by seaports of certified law enforcement  
53 | officers and certified private security officers;  
54 | providing authority of seaports and requirements of the

55 Department of Law Enforcement with respect to such intent;  
56 requiring the authority or governing board of each seaport  
57 that is subject to statewide minimum seaport security  
58 standards to impose specified requirements for  
59 certification as a seaport security officer; creating the  
60 Seaport Security Officer Qualification, Training, and  
61 Standards Coordinating Council under the Department of Law  
62 Enforcement; providing membership and organization of the  
63 council; providing terms of members; providing duties and  
64 authority of the council; requiring the Department of  
65 Education to develop curriculum recommendations and  
66 specifications of the council into initial and continuing  
67 education and training programs for seaport security  
68 officer certification; providing requirements and  
69 procedures with respect to such training programs;  
70 providing requirements and procedures with respect to  
71 certification as a seaport security officer; providing  
72 requirements for renewal of inactive or revoked  
73 certification; creating s. 311.122, F.S.; authorizing each  
74 seaport in the state to create a seaport law enforcement  
75 agency for its facility; providing requirements of an  
76 agency; requiring certification of an agency; providing  
77 requirements with respect to the composition of agency  
78 personnel; providing powers of seaport law enforcement  
79 agency officers and seaport security officers; creating s.  
80 311.123, F.S.; providing for the creation of a maritime  
81 domain security awareness training program; providing

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

92 |  
93 | Be It Enacted by the Legislature of the State of Florida:

94 |  
95 | Section 1. Section 311.111, Florida Statutes, is created  
96 | to read:

97 | 311.111 Security area designations; access requirements;  
98 | authority.--Each seaport authority or governing board of a  
99 | seaport identified in s. 311.09 that is subject to the statewide  
100 | minimum seaport security standards in s. 311.12 shall clearly  
101 | designate in seaport security plans and clearly identify with  
102 | appropriate signs and markers on the premises of a seaport the  
103 | following security area designations, access requirements, and  
104 | corresponding security enforcement authorizations, which may  
105 | include, but not be limited to, clear notice of the prohibition  
106 | on possession of concealed weapons and other contraband material  
107 | on the premises of the seaport:

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

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

125        (3) RESTRICTED ACCESS AREA.--A restricted access area of a  
126 seaport is open only to individuals working on the seaport,  
127 seaport employees, or guests who have business with the seaport.  
128 Any person found in these areas without the proper level of  
129 identification card is subject to the trespass provisions of ss.  
130 810.08 and 810.09 and this chapter. All persons and objects in  
131 these areas are subject to search by a sworn state-certified law  
132 enforcement officer, a Class D seaport security officer  
133 certified under Maritime Transportation Security Act guidelines  
134 and s. 311.121, or an employee of the seaport security force

135 certified under the Maritime Transportation Security Act  
136 guidelines and s. 311.121.

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

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

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

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

172 311.12 Seaport security standards; inspections;  
173 compliance; appeals.--

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

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

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



216 access area with a potential human occupancy of 50 persons or  
217 more, any cruise terminal, or any business operation that is  
218 adjacent to an unrestricted public access area shall be  
219 protected from the most probable and creditable terrorist threat  
220 to human life by the use of the methods and principles contained  
221 within Federal Emergency Management Agency, Risk Management  
222 Series, "Reference Manual to Mitigate Potential Terrorist  
223 Attacks Against Buildings" (FEMA 426) and the Federal Emergency  
224 Management Agency, Risk Management Series, "Risk Assessment: A  
225 How-To Guide to Mitigate Potential Terrorist Attacks Against  
226 Buildings" (FEMA 452).

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

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

242 with requests to the Coast Guard for any necessary corrective  
243 action.

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

254 (3)

255 (e) The Department of Law Enforcement shall establish a  
256 waiver process to allow unescorted access to an individual who  
257 is found to be unqualified under paragraph (c) and denied  
258 employment by a seaport. The waiver consideration shall be based  
259 on the circumstances of any disqualifying act or offense,  
260 restitution made by the individual, and other factors from which  
261 it may be determined that the individual does not pose a risk of  
262 engaging in theft, drug trafficking, or terrorism within the  
263 public seaports regulated under this chapter or of harming any  
264 person. The waiver process shall begin when an individual who  
265 has been denied initial employment within or regular unescorted  
266 access to restricted areas of a public seaport as described in  
267 paragraph (c) submits an application for a waiver and notarized  
268 letter or affidavit from the individual's employer or union

269 representative which states the mitigating reasons for  
270 initiating the waiver process. No later than 90 days after  
271 receipt of the application, the administrative staff of the  
272 Parole Commission shall conduct a factual review of the waiver  
273 application. Findings of fact shall be transmitted to the  
274 Department of Law Enforcement for review. The department shall  
275 make a copy of those findings available to the applicant before  
276 final disposition of the waiver request. The department shall  
277 make a final disposition of the waiver request based on the  
278 factual findings of the investigation by the Parole Commission.  
279 The department shall notify the waiver applicant and the port  
280 authority that originally denied employment to the applicant of  
281 the final disposition of the waiver. The review process under  
282 this paragraph is exempt from chapter 120.

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  
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  
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.

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.
- 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.

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.

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.

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  
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.