Florida Senate - 2007

By Senator Baker

20-1029-07

1	A bill to be entitled
2	An act relating to the rights and
3	responsibilities of licensed security officers;
4	amending s. 493.6305, F.S.; authorizing
5	licensed security officers to temporarily
6	detain persons under certain circumstances for
7	specified purposes; requiring security officers
8	who detain any person to notify the appropriate
9	law enforcement agency and transfer custody of
10	the detainee to the responding law enforcement
11	officer; limiting the permissible location and
12	duration of detention by a security officer;
13	authorizing a security officer to search a
14	detainee or a potential detainee for weapons if
15	the officer has probable cause to believe that
16	the detainee is armed with such a weapon;
17	requiring a security officer to seize any
18	weapon found pursuant to a search and provide
19	such weapon to the responding law enforcement
20	officer; requiring a security officer to return
21	to his or her employer all uniforms and other
22	equipment issued by the employer immediately
23	upon resignation or termination of employment;
24	providing an effective date.
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26	Be It Enacted by the Legislature of the State of Florida:
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28	Section 1. Section 493.6305, Florida Statutes, is
29	amended to read:
30	493.6305 Uniforms, required wear; exceptions
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1 (1) Class "D" licensees shall perform duties regulated 2 under this chapter wearing in a uniform that which bears at least one patch or emblem that is visible at all times and 3 that clearly identifies identifying the employing agency. A 4 Class "D" licensed security officer who is in uniform, who is 5 6 on duty at the premises of a client, and who encounters any 7 person under circumstances that reasonably indicate that such 8 person has committed, is committing, or is about to commit a violation of the criminal laws of this state or the criminal 9 10 ordinances of any municipality or county may temporarily detain such person for the purpose of ascertaining his or her 11 12 identity and the circumstances surrounding the person's 13 activities on the premises of the client. Upon resignation or termination of employment, a Class "D" licensee shall 14 15 immediately return to the employer any uniform and any other 16 equipment issued to her or him by the employer. 17 (2) Upon temporarily detaining any person, the 18 licensed security officer shall notify the appropriate law enforcement agency as soon as is reasonably possible. 19 Temporary detention by a licensed security officer shall be 20 21 solely for the purpose of holding that person until a law enforcement officer arrives, and any person being temporarily 2.2 23 detained shall be immediately given over to the responding law enforcement officer for purposes of determining an appropriate 2.4 25 disposition. (3) A person may not be temporarily detained under 26 27 subsection (1) or subsection (2) after the arrival of a law 2.8 enforcement officer except upon the authority of the law enforcement officer. Such temporary detention by a licensed 29 30 security officer may not extend beyond the place where it was 31

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1 initiated or the immediate vicinity thereof, unless dangerous 2 mitigating circumstances exist. (4) A person may not be temporarily detained under 3 4 subsection (2) longer than is reasonably necessary to fulfill 5 the purposes of that subsection. Such temporary detention may б not extend beyond the place where it was initiated or the 7 immediate vicinity thereof, unless dangerous mitigating 8 circumstances exist. 9 (5) If a licensed security officer who is authorized 10 to temporarily detain any person under subsection (1) has probable cause to believe that the person whom the security 11 12 officer has temporarily detained, or is about to detain, is 13 armed with a dangerous weapon and is a threat to the safety of the security officer or any other person, the security officer 14 may search that person to the extent necessary to disclose, 15 and only for the purpose of disclosing, the presence of a 16 17 weapon. If such a search discloses a dangerous weapon or any 18 evidence of a criminal offense, the weapon may be seized and shall be provided to the responding law enforcement officer. 19 (6)(2) Class "D" licensees may perform duties 20 21 regulated under this chapter in nonuniform status on a limited 2.2 special assignment basis, and only when duty circumstances or 23 special requirements of the client necessitate such dress. (7)(3) Class "D" licensees who are also Class "G" 2.4 licensees and who are performing limited, special assignment 25 duties may carry their authorized firearm concealed in the 26 27 conduct of such duties. 2.8 (8) Upon resignation or termination of employment, a Class "D" licensee shall immediately return to the employer 29 any uniform and any other equipment issued to her or him by 30 the employer. 31

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1	Section 2. This act shall take effect July 1, 2007.
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4	SENATE SUMMARY
5	Authorizes licensed security officers to temporarily
б	detain persons under certain circumstances for specified purposes. Requires security officers who detain any
7	person to notify the appropriate law enforcement agency and transfer custody of detainees to the responding law
8	enforcement officer. Limits the permissible location and duration of detention by security officers. Authorizes
9	security officers to search detainees or potential detainees for the presence of dangerous weapons under
10	certain circumstances. Requires security officers to seize all weapons found pursuant to a search and provide
11	such weapons to the responding law enforcement officer. Requires security officers to return uniforms and
12	equipment to their employers immediately upon resignation or termination of employment.
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