

Bill No. SB 2866

Barcode 413622

CHAMBER ACTION

Senate

House

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

Senate Amendment (with title amendment)

On page 4, between lines 19 and 20,

insert:

Section 3. Section 394.9221, Florida Statutes, is created to read:

394.9221 Certified security personnel.--The department or an entity contracting with the department to operate a secure facility under this part is considered an employing agency as that term is defined in s. 943.10 and is authorized to employ certified correctional officers as facility security personnel.

Section 4. Section 916.1091, Florida Statutes, is amended to read:

916.1091 Duties, functions, and powers of institutional security personnel.--

(1) In case of emergency, and when necessary to provide protection and security to any client, to the

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1 personnel, equipment, buildings, or grounds of a department or
 2 agency facility, or to citizens in the surrounding community,
 3 institutional security personnel may, when authorized by the
 4 administrator of the facility or her or his designee when the
 5 administrator is not present, use a chemical weapon against a
 6 patient housed in a forensic facility. However, such weapon
 7 shall be used only to the extent necessary to provide
 8 protection and security. Under no circumstances shall any
 9 officer carry a chemical weapon on her or his person except
 10 during the period of the emergency for which its use was
 11 authorized. All chemical weapons shall be placed in secure
 12 storage when their use is not authorized as provided in this
 13 section.

14 (2) The department, the agency, or an entity
 15 contracting with the department or agency to operate a
 16 forensic facility under this chapter is considered an
 17 employing agency as that term is defined in s. 943.10 and is
 18 authorized to employ certified correctional officers as
 19 institutional security personnel. This authority applies
 20 retroactively to all certified officers employed in such
 21 capacity beginning January 1, 1974.

22
 23 (Redesignate subsequent sections.)

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 25

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

27 And the title is amended as follows:

28 On page 1, line 15, after the first semicolon,
 29
 30 insert:

31 creating s. 394.9221, F.S.; authorizing the

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1 employment of certified correctional officers
2 at a secure facility; amending s. 916.1091,
3 F.S.; authorizing the employment of certified
4 correctional officers at forensic facilities;
5 providing for such authority to operate
6 retroactively;

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