

By Senator Saunders

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1 A bill to be entitled
2 An act relating to law enforcement officers and
3 correctional officers; amending s. 112.534, F.S.;
4 providing for sanctions for violation of officers' rights
5 in disciplinary proceedings; authorizing the Criminal
6 Justice Standards and Training Commission to adopt rules;
7 providing an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Subsection (1) of section 112.534, Florida
12 Statutes, is amended to read:

13 112.534 Failure to comply; official misconduct.--

14 (1) If any law enforcement agency or correctional agency
15 fails to comply with the requirements of this part, in addition
16 to the civil action provided in s. 112.532(3), a law enforcement
17 officer or correctional officer employed by or appointed to such
18 agency:

19 (a) Who is personally injured by such failure to comply may
20 apply directly to the circuit court of the county wherein such
21 agency is headquartered and permanently resides for an injunction
22 to restrain and enjoin such violation of the provisions of this
23 part and to compel the performance of the duties imposed by this
24 part.

25 (b) Whose rights under this part are violated may apply
26 directly to the Criminal Justice Standards and Training
27 Commission for an order imposing a fine not to exceed \$10,000 for
28 each violation of any provision of this part. A fine may be
29 levied against the person committing the violation, that person's

37-00304-08

2008338__

30 employing or appointing agency, or both. A second or subsequent
31 violation may lead to disciplinary action up to and including
32 revocation of the violator's certification. The Criminal Justice
33 Standards and Training Commission may adopt rules under ss.
34 120.536(1) and 120.54 for the implementation of this paragraph.
35 Section 2. This act shall take effect upon becoming a law.