

1 A bill to be entitled
 2 An act relating to law enforcement and correctional
 3 officers; amending s. 943.10, F.S.; revising the
 4 definition of "correctional officer" to include
 5 institutional security personnel; amending s. 943.13,
 6 F.S.; providing an exemption from the requirement for
 7 completion of a commission-approved basic reserve or
 8 auxiliary training program for auxiliary law enforcement
 9 officers in certain circumstances; providing an effective
 10 date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

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 14 Section 1. Subsection (2) of section 943.10, Florida
 15 Statutes, is amended to read:

16 943.10 Definitions; ss. 943.085-943.255.--The following
 17 words and phrases as used in ss. 943.085-943.255 are defined as
 18 follows:

19 (2) "Correctional officer" means any person who is
 20 appointed or employed full time by the state or any political
 21 subdivision thereof, or by any private entity contracting ~~which~~
 22 ~~has contracted~~ with the state or political subdivision ~~county~~,
 23 and whose primary responsibility is the supervision, protection,
 24 care, custody, and control, or investigation, of inmates within
 25 a correctional institution. The term also includes any person
 26 employed full time by the state as institutional security
 27 personnel as defined in s. 916.106.; ~~however,~~ The term

28 "correctional officer" does not include any secretarial,
 29 clerical, or professionally trained personnel.

30 Section 2. Subsection (9) of section 943.13, Florida
 31 Statutes, is amended to read:

32 943.13 Officers' minimum qualifications for employment or
 33 appointment.--On or after October 1, 1984, any person employed
 34 or appointed as a full-time, part-time, or auxiliary law
 35 enforcement officer or correctional officer; on or after October
 36 1, 1986, any person employed as a full-time, part-time, or
 37 auxiliary correctional probation officer; and on or after
 38 October 1, 1986, any person employed as a full-time, part-time,
 39 or auxiliary correctional officer by a private entity under
 40 contract to the Department of Corrections, to a county
 41 commission, or to the Department of Management Services shall:

42 (9) Complete a commission-approved basic recruit training
 43 program for the applicable criminal justice discipline, unless
 44 exempt under this subsection.

45 (a) An applicant who has:

46 1.~~(a)~~ Completed a comparable basic recruit training
 47 program for the applicable criminal justice discipline in
 48 another state or for the Federal Government; and

49 2.~~(b)~~ Served as a full-time sworn officer in another state
 50 or for the Federal Government for at least 1 year provided there
 51 is no more than an 8-year break in employment, as measured from
 52 the separation date of the most recent qualifying employment to
 53 the time a complete application is submitted for an exemption
 54 under this section,
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56 is exempt in accordance with s. 943.131(2) from completing the
57 commission-approved basic recruit training program.

58 (b) If an applicant seeks to serve as an auxiliary law
59 enforcement officer as defined in s. 943.10(8) and seeks an
60 exemption from completing a commission-approved basic reserve or
61 auxiliary training program, the agency must verify that the
62 applicant has successfully completed another state's comparable
63 basic reserve or auxiliary training program for the discipline
64 in which the applicant is seeking certification; completed the
65 Florida Comparative Compliance course; demonstrated proficiency
66 in the high-liability area, as defined by commission rule;
67 completed the requirements of subsection (10) within 1 year
68 after receiving an exemption; served as an auxiliary law
69 enforcement officer in another state for at least 1 year,
70 provided there is no more than an 8-year break in service as
71 measured from the separation date of the most recent qualifying
72 service to the time a complete application is submitted; and
73 execute and submit to the agency an affidavit-of-applicant form,
74 as adopted by the commission, attesting to his or her compliance
75 with subsections (1)-(7). The affidavit shall be executed under
76 oath and constitutes a statement within the purview of s.
77 837.06. The affidavit shall include conspicuous language that
78 the intentional false execution of the affidavit constitutes a
79 misdemeanor of the second degree. The affidavit shall be
80 retained by the employing agency. At no time may an auxiliary
81 law enforcement officer exempted under this paragraph work in a
82 full-time, paid capacity.

83 Section 3. This act shall take effect July 1, 2008.