

By Senator Deutch

30-02562-08

2008924\_\_

1 A bill to be entitled

2 An act relating to correctional officers; amending s.  
3 943.10, F.S.; revising the definition of "correctional  
4 officer" to include security personnel employed in secure  
5 facilities housing sexually violent predators and  
6 institutional security personnel employed in forensic  
7 facilities; amending ss. 394.221 and s. 916.1091, F.S., to  
8 conform cross-references; providing an effective date.  
9

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

11  
12 Section 1. Subsection (2) of section 943.10, Florida  
13 Statutes, is amended to read:

14 943.10 Definitions; ss. 943.085-943.255.--The following  
15 words and phrases as used in ss. 943.085-943.255 are defined as  
16 follows:

17 (2) "Correctional officer" means any person who is  
18 appointed or employed full time by the state or any political  
19 subdivision thereof, or by any private entity contracting ~~which~~  
20 ~~has contracted~~ with the state or political subdivision ~~county~~,  
21 and whose primary responsibility is the supervision, protection,  
22 care, custody, and control, or investigation, of inmates within a  
23 correctional institution. The term also includes certified  
24 correctional officers employed as facility security personnel to  
25 operate a secure facility for sexually violent predators pursuant  
26 to s. 394.9221 and employed as institutional security personnel  
27 to operate a forensic facility pursuant to s. 916.1091(2);  
28 however, the term "~~correctional officer~~" does not include any  
29 secretarial, clerical, or professionally trained personnel.

30-02562-08

2008924\_\_

30 Section 2. Section 394.9221, Florida Statutes, is amended  
31 to read:

32 394.9221 ~~Certified~~ Security personnel.--The department or a  
33 private ~~an~~ entity contracting with the department to operate a  
34 secure facility under this part is considered an employing agency  
35 as that term is defined in s. 943.10 and is authorized to employ  
36 certified correctional officers as facility security personnel.

37 Section 3. Subsection (2) of section 916.1091, Florida  
38 Statutes, is amended to read:

39 916.1091 Duties, functions, and powers of institutional  
40 security personnel.--

41 (2) The department, the agency, or a private ~~an~~ entity  
42 contracting with the department or agency to operate a forensic  
43 facility under this chapter is considered an employing agency as  
44 that term is defined in s. 943.10 and is authorized to employ  
45 certified correctional officers as institutional security  
46 personnel. This authority applies retroactively to all certified  
47 officers employed in such capacity beginning January 1, 1974.

48 Section 4. This act shall take effect July 1, 2008.