

ENROLLED
HB 93

2011 Legislature

1 A bill to be entitled
2 An act relating to security cameras; reenacting s.
3 163.31802, F.S., relating to prohibited standards for
4 security cameras; providing for retroactive operation of
5 the act; providing for an exception under specified
6 circumstances; providing an effective date.

7
8 WHEREAS, the Florida Legislature enacted Senate Bill 360 in
9 2009 for important public policy purposes, and

10 WHEREAS, litigation has called into question the
11 constitutional validity of this important piece of legislation,
12 and

13 WHEREAS, the Legislature wishes to protect those who relied
14 on the changes made by Senate Bill 360 and to preserve the
15 Florida Statutes intact and cure any alleged constitutional
16 violation, NOW, THEREFORE,

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. Section 163.31802, Florida Statutes, is
21 reenacted to read:

22 163.31802 Prohibited standards for security devices.—A
23 county, municipality, or other entity of local government may
24 not adopt or maintain in effect an ordinance or rule that
25 establishes standards for security cameras that require a lawful
26 business to expend funds to enhance the services or functions
27 provided by local government unless specifically provided by
28 general law. Nothing in this section shall be construed to limit

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29 | the ability of a county, municipality, airport, seaport, or
30 | other local governmental entity to adopt standards for security
31 | cameras in publicly operated facilities, including standards for
32 | private businesses operating within such public facilities
33 | pursuant to a lease or other contractual arrangement.

34 | Section 2. This act shall take effect upon becoming a law,
35 | and shall operate retroactively to June 1, 2009. If such
36 | retroactive application is held by a court of last resort to be
37 | unconstitutional, this act shall apply prospectively from the
38 | date that this act becomes a law.