

By Senator Fasano

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2012204

1 A bill to be entitled
2 An act relating to law enforcement and correctional
3 officers; amending s. 112.534, F.S.; providing that a
4 law enforcement officer or correctional officer who is
5 injured by the intentional failure of the law
6 enforcement or correctional agency to comply with part
7 VI, ch. 112, F.S., may petition the circuit court in
8 the county where the law enforcement or correctional
9 agency maintains its headquarters for an injunction to
10 enjoin the agency from the violation and to compel the
11 agency to perform the duties imposed by part VI, ch.
12 112, F.S.; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Paragraph (h) is added to subsection (1) of
17 section 112.534, Florida Statutes, to read:

18 112.534 Failure to comply; official misconduct.—

19 (1) If any law enforcement agency or correctional agency,
20 including investigators in its internal affairs or professional
21 standards division, or an assigned investigating supervisor,
22 intentionally fails to comply with the requirements of this
23 part, the following procedures apply. For purposes of this
24 section, the term "law enforcement officer" or "correctional
25 officer" includes the officer's representative or legal counsel,
26 except in application of paragraph (d).

27 (h) If a law enforcement officer or correctional officer
28 who is employed by or appointed to a law enforcement or
29 correctional agency is injured by the intentional failure of the

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30 agency to comply with this part, the law enforcement officer or
31 correctional officer may petition the circuit court in the
32 county where the agency maintains its headquarters for an
33 injunction to enjoin the agency from violating this part and to
34 compel the agency to perform the duties imposed by this part.

35 Section 2. This act shall take effect July 1, 2012.