

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Criminal Justice Committee

BILL: SB 484

INTRODUCER: Senators Ring, Gaetz, and Dean

SUBJECT: Florida Law Enforcement Officers' Hall of Fame

DATE: November 28, 2011 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Erickson	Cannon	CJ	Pre-meeting
2.	_____	_____	GO	_____
3.	_____	_____	BC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill establishes a Florida Law Enforcement Officers' Hall of Fame, which is administered by the Florida Department of Law Enforcement (FDLE) without appropriation of state funds. The Department of Management Services (DMS) must set aside an area on the Plaza Level of the Capitol Building (and meet other specifications) for the Hall of Fame and consult with the FDLE regarding the design and theme of the area. The bill also specifies the procedures for recommendations of nominees and selection of officers for induction.

This bill creates a new section of the Florida Statutes: s. 265.004.

II. Present Situation:

According to the FDLE, “[a]s of October 19, 2011, there are 45,236 certified law enforcement officers in Florida.”¹

The FDLE provides the following information relevant to the bill:

Florida has no publicly established Hall of Fame for law enforcement officers, and there is no Hall of Fame in Florida that gives preference to law enforcement officers who were born in Florida or adopted Florida as their home. Florida is, however, home to the American Police Hall of Fame and Museum (APHF), which was founded in 1960 and is the nation’s first national police museum and memorial dedicated to American law

¹ Analysis of SB 484, Florida Department of Law Enforcement, dated October 27, 2011 (on file with the Senate Criminal Justice Committee) (further cited as “FDLE’s Bill Analysis”).

enforcement officers killed in the line of duty. The APHF Museum, through interactive displays, simulators and thousands of artifacts, educates the public about the history and current trends of American law enforcement. The APHF Memorial lists over 7,000 officers who were killed in the line of duty. Their names are permanently etched on the Memorial's marble walls, which are added to once a year for Police Memorial Day (May 15th). The APHF houses two non-profit law enforcement associations, The National Association of Chiefs of Police (NACOP) and the American Federation of Police and Concerned Citizens (AFP&CC), which provide financial and program support.

The Florida Legislature has established four Halls of Fame in Florida that honor persons born in Florida or who adopted Florida as their home, and who have made significant contributions to the state. The Florida Women's Hall of Fame (s. 265.001, F.S.) honors women who, through their lives and efforts, have made significant contributions to improving the lives of women and all citizens of Florida. The Florida Veterans' Hall of Fame (s. 265.003, F.S.) was created by the 2011 Legislature to recognize and honor military veterans who have made a significant contribution to Florida through their works and lives during or after military service. Both these halls of fame were established with no specific appropriation.

The Florida Civil Rights Hall of Fame (s. 760.065, F.S.) honors persons who have made significant contributions as leaders in the struggle for equality and justice. It is administered by the Commission on Human Relations, which is responsible for related costs; however, the costs of operation, repairs and maintenance are covered by the Department of Management Services. The Florida Artists Hall of Fame (s. 265.2865, F.S.) is administered by the Florida Council on Arts and Culture and the Division of Cultural Affairs within the Department of State. The Secretary of State must annually request an appropriation to carry out the purposes of s. 265.2865, F.S.

The 1988 Legislature designated the Florida Sports Hall of Fame in Lake City, Columbia County, as the Official Sports Hall of Fame for the state (s. 15.051, F.S.). The Sports Hall of Fame was founded in 1958 by the Florida Sportswriters Association and Florida Sportscasters Association, and was housed in Lake City from 1990 until 2002 when it closed for the second time. The Hall reopened in 2010 in Auburndale, Florida.²

Presently, numerous agencies, associations, and organizations present state and national awards for "officer of the year," "deputy of the year," etc., including, but not limited to, the Florida Attorney General,³ the Florida Police Chiefs Association, the Florida Sheriffs Association, the Fraternal Order of Police, the Police Benevolent Association, the American Legion, and the National Rifle Association.

² FDLE's Bill Analysis.

³ According to Attorney General staff, nominees are law enforcement officers (including correctional officers) who are selected by several agencies, associations, and organizations. The Florida Law Enforcement Officer of the Year is selected by a group composed of members of multiple agencies, associations, and organizations. Both the Florida Law Enforcement Officer of the Year and the other nominees are honored for their achievements. The selection of the 2011 Law Enforcement Officer of the Year has not yet been made.

Section 683.115, F.S., designates May 15th of each year as “Law Enforcement Memorial Day.” The Capitol Courtyard contains a law enforcement officer memorial monument to honor fallen officers. This monument is maintained by the Fraternal Order of Police. A memorial service for fallen officers is held annually at the Capitol.

III. Effect of Proposed Changes:

The bill creates s. 265.004, F.S., which establishes the Florida Law Enforcement Officers’ Hall of Fame. According to intent language in the proposed statute:

It is the intent of the Legislature to recognize and honor those law enforcement officers who, through their works, service, and exemplary accomplishments during or following their service as a law enforcement officer, have dedicated their lives to, and sacrificed their lives for, the safety of the residents of Florida and have made significant contributions to the state.

The Hall of Fame is administered by the FDLE without appropriation of state funds. The bill directs the DMS to set aside an area on the Plaza Level of the Capitol building for the Hall of Fame. The DMS must consult with FDLE regarding the design and theme of the area. Each inductee will have his or her name placed on a plaque displayed in the designated area of the Capitol building.

The FDLE is required to annually accept recommendations of persons to be considered as nominees for induction into the Hall of Fame. These recommendations are to be accepted from law enforcement organizations the FDLE deems appropriate, including but not limited to, the Police Benevolent Association.

The FDLE must choose the nominees from among the recommendations submitted and transmit the names to the Governor and Cabinet who will select the nominees to be inducted. In making these recommendations, the FDLE must give preference to law enforcement officers who were born in Florida or who adopted Florida as their home state.

The FDLE is authorized to establish criteria and set specific time periods for the acceptance of recommendations for nominees and the selection process. It is also authorized to establish, organize, and conduct a formal induction ceremony.⁴

The effective date of the bill is July 1, 2012.

Other Potential Implications:

The FDLE notes the following effects of the bill were it to become law:

If it becomes law, SB 484 will create the Florida Law Enforcement Officers’ Hall of Fame, to honor officers who “through their works, service, and exemplary accomplishments during or following their service as a law enforcement officer, have

⁴ The FDLE construes these provisions as granting it rulemaking authority. FDLE’s Bill Analysis.

dedicated their lives to, and sacrificed their lives for, the safety of the citizens of Florida and have made significant contributions to the state.” Passage of this bill will result in the addition of another memorial to those already established in Florida’s Capitol building.

In establishing a Law Enforcement Officers’ Hall of Fame, Florida will join several other states that have created halls of fame to recognize and honor their law enforcement officers. South Carolina, Oklahoma and Texas (Rangers) all have museums as a part of their halls of fame. South Carolina’s Museum and Hall of Fame was established by that state’s legislature in 1974. In Oklahoma, a foundation administers the Museum, Hall of Fame Memorial, and an educational scholarship. The Texas legislature designated the Museum and Hall of Fame as the official memorial of the Texas Ranger service. These halls of fame are similar to the Florida-based American Police Hall of Fame and Museum in their scope and mission.

The State of Nebraska also has a Hall of Fame that was developed by the Police Officers Association to recognize the accomplishments and deeds of individual law enforcement officers.⁵

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill specifies that the Florida Law Enforcement Officers’ Hall of Fame is administered by the FDLE without appropriation of state funds.

⁵ FDLE’s Bill Analysis.

The FDLE states:

FDLE believes it is important to recognize the many accomplishments of Florida’s law enforcement officers. In order for the Florida Law Enforcement Officers’ Hall of Fame initiative to be meaningful, it will require an extensive vetting process in order to examine and evaluate all nominations submitted to the department.⁶

Over the last several sessions, FDLE had 297 positions eliminated and the department’s operating budget cut by approximately \$34 million. Although the bill directs FDLE to administer the Florida Law Enforcement Officers’ Hall of Fame without appropriation of state funds, the associated costs related to staff time and agency resources that will be expended to carry out this annual activity cannot be absorbed within FDLE’s existing resources.

The FDLE further states:

The FDLE is required to accept recommendations of persons to be considered for induction, and to choose nominees from the recommendations submitted for transmittal to the Governor and Cabinet. The FDLE is, also, authorized to develop guidelines for the process of accepting recommendations and selecting nominees. In order to implement these statutory requirements, the FDLE will need 1 FTE to develop the guidelines that will govern the implementation, and to solicit, review and more importantly vet the applications prior to processing the names submitted for consideration.

	FY 12-13	FY 13-14	FY 14-15	
1 Government Analyst	\$ 50,642	\$ 50,642	\$ 50,642	Salary & Benefits
1 Government Analyst	\$10,203	\$6,555	\$6,555	Expenses
Standard HR Services for 1 Government Analyst	\$356	\$356	\$356	Human Resources Services
TOTAL	\$61,201	\$57,553	\$57,553	

The FDLE further indicates that the bill “requires that the name of each person inducted into the Hall of Fame be placed on a plaque displayed in the designated area of the Capitol building.” The FDLE will include the costs related to this plaque as part of the expenses previously specified.

⁶ All of the information and comments provided by the FDLE for the “Government Sector Impact” section of this bill analysis are from the FDLE’s Bill Analysis.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
