

1 A bill to be entitled
 2 An act relating to railroad police officers; amending
 3 s. 354.01, F.S.; requiring special officers employed
 4 by a railroad or other common carrier to comply with
 5 specified continuing training or education
 6 requirements; providing that certain railroads are
 7 employing agencies under specified provisions;
 8 amending s. 943.10, F.S.; including special officers
 9 employed by a railroad or other common carrier within
 10 the definition of "law enforcement officers" and
 11 including certain railroads within the definition of
 12 "employing agency," for purposes of specified
 13 provisions relating to law enforcement officer
 14 standards; providing an effective date.

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

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 18 Section 1. Section 354.01, Florida Statutes, is amended to
 19 read:

20 354.01 Appointment of special officers.—Upon the
 21 application of any railroad or other common carrier doing
 22 business in this state, the Governor shall appoint one or more
 23 persons who have met the law enforcement qualifications and
 24 training requirements of s. 943.13 ~~943.13(1) — (10)~~ as special
 25 officers for the protection and safety of such carriers; their
 26 passengers and employees; and the property of such carriers,
 27 passengers, and employees. A Class I or Class II railroad, as
 28 defined by the United States Surface Transportation Board, shall

HB 489

2013

29 | be considered an employing agency pursuant to s. 943.10(4).

30 | Section 2. Subsections (1) and (4) of section 943.10,
31 | Florida Statutes, are amended to read:

32 | 943.10 Definitions; ss. 943.085-943.255.—The following
33 | words and phrases as used in ss. 943.085-943.255 are defined as
34 | follows:

35 | (1) "Law enforcement officer" means any person who is
36 | elected, appointed, or employed full time by any municipality or
37 | the state or any political subdivision thereof; who is vested
38 | with authority to bear arms and make arrests; and whose primary
39 | responsibility is the prevention and detection of crime or the
40 | enforcement of the penal, criminal, traffic, or highway laws of
41 | the state. This definition includes all certified supervisory
42 | and command personnel whose duties include, in whole or in part,
43 | the supervision, training, guidance, and management
44 | responsibilities of full-time law enforcement officers, part-
45 | time law enforcement officers, ~~or~~ auxiliary law enforcement
46 | officers, or officers employed pursuant to chapter 354, but does
47 | not include support personnel employed by the employing agency.

48 | (4) "Employing agency" means any agency or unit of
49 | government or any municipality or the state or any political
50 | subdivision thereof, or any agent thereof, which has
51 | constitutional or statutory authority to employ or appoint
52 | persons as officers, including Class I or Class II railroads
53 | described in s. 354.01. The term also includes any private
54 | entity which has contracted with the state or county for the
55 | operation and maintenance of a nonjuvenile detention facility.

56 | Section 3. This act shall take effect July 1, 2013.