



328176

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/09/2016	.	
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The Committee on Criminal Justice (Brandes) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 85 and 86

insert:

Section 3. Section 943.11, Florida Statutes, is amended to read:

943.11 Criminal Justice Standards and Training Commission; membership; meetings; compensation.—

(1) (a) There is created a Criminal Justice Standards and Training Commission within the Department of Law Enforcement.



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11 The commission shall be composed of 21 ~~19~~ members, consisting of  
12 the Secretary of Corrections or a designated assistant; the  
13 Attorney General or a designee; the Director of the Division of  
14 the Florida Highway Patrol; 1 circuit court judge with past  
15 criminal jurisdiction designated by the Office of the State  
16 Court Administrator; 1 state attorney designated by the Florida  
17 Prosecuting Attorneys Association; and 16 members appointed by  
18 the Governor, consisting of 3 sheriffs; 3 chiefs of police; 5  
19 law enforcement officers who are of the rank of captain ~~sergeant~~  
20 or below within the employing agency; 2 correctional officers, 1  
21 of whom is an administrator of a state correctional institution  
22 and 1 of whom is of the rank of captain ~~sergeant~~ or below within  
23 the employing agency; ~~1 training center director;~~ 1 person who  
24 is in charge of a county correctional institution; ~~and~~ 2  
25 residents ~~1 resident~~ of the state who have never been employed  
26 by any of the departments, institutions, or agencies in any  
27 ~~falls into none~~ of the foregoing classifications. Prior to the  
28 appointment, the sheriff, chief of police, law enforcement  
29 officer, and correctional officer members must have had at least  
30 4 years' experience as law enforcement officers or correctional  
31 officers.

32 (b) The Governor, in making appointments under this  
33 section, shall take into consideration representation by  
34 geography, population, and other relevant factors in order that  
35 the representation on the commission be apportioned to give  
36 representation to the state at large rather than to a particular  
37 area. Of the appointed members, and except for correctional  
38 officers of a state institution, there may be only one  
39 appointment from any employing agency.



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40           1. In appointing one circuit judge, the Governor shall  
41 choose the appointment from a list of two nominees submitted by  
42 the Office of the State Court Administrator. The Office of the  
43 State Court Administrator shall submit its list of two nominees  
44 at least three months before the expiration of the term of any  
45 circuit judge.

46           2. In appointing one state attorney, the Governor shall  
47 choose the appointment from a list of two nominees submitted by  
48 the Florida Prosecuting Attorneys Association. The Florida  
49 Prosecuting Attorneys Association shall submit its list of two  
50 nominees at least 3 months before the expiration of the term of  
51 any state attorney.

52           3. 1. In appointing the three sheriffs, the Governor shall  
53 choose each appointment from a list of six nominees submitted by  
54 the Florida Sheriffs Association. The Florida Sheriffs  
55 Association shall submit its list of six nominees at least 3  
56 months before the expiration of the term of any sheriff member.

57           4. 2. In appointing the three chiefs of police, the  
58 Governor shall choose each appointment from a list of six  
59 nominees submitted by the Florida Police Chiefs Association. The  
60 Florida Police Chiefs Association shall submit its list of six  
61 nominees at least 3 months before the expiration of the term of  
62 any police chief member.

63           5. 3. In appointing the five law enforcement officers and  
64 one correctional officer of the rank of captain ~~sergeant~~ or  
65 below, the Governor shall choose each appointment from a list of  
66 six nominees submitted by a committee comprised of three members  
67 of the collective bargaining agent for the largest number of  
68 certified law enforcement bargaining units, two members of the



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69 collective bargaining agent for the second largest number of  
70 certified law enforcement bargaining units, and one member of  
71 the collective bargaining agent representing the largest number  
72 of state law enforcement officers in certified law enforcement  
73 bargaining units. At least one of the names submitted for each  
74 of the five appointments who are law enforcement officers must  
75 be an officer who is not in a collective bargaining unit.

76 (c) Members appointed by the Governor shall be appointed  
77 for terms of 4 years, and no member shall serve beyond the time  
78 he or she ceases to hold the office or employment by reason of  
79 which the member was eligible for appointment to the commission.  
80 Any member appointed to fill a vacancy occurring because of  
81 death, resignation, or ineligibility for membership shall serve  
82 only for the unexpired term of his or her predecessor.

83 (d) Each member appointed by the Governor shall be  
84 accountable to the Governor for the proper performance of the  
85 duties of his or her office. The Governor may remove from office  
86 any such member for malfeasance, misfeasance, neglect of duty,  
87 incompetence, or permanent inability to perform official duties  
88 or for pleading guilty or nolo contendere to, or being found  
89 guilty of, a felony.

90 (e) Membership on the commission shall be construed as an  
91 extension of the duties of the office by which the member was  
92 appointed to the commission. Membership on the commission does  
93 not disqualify a member from holding any other public office or  
94 being employed by a public entity, except that no member of the  
95 Legislature shall serve on the commission. The Legislature finds  
96 that the commission serves a state, county, and municipal  
97 purpose and that service on the commission is consistent with a



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98 member's principal service in a public office or employment.

99 (f) Members of the commission shall serve without  
100 compensation but shall be entitled to be reimbursed for per diem  
101 and travel expenses as provided by s. 112.061.

102 (2) The commission shall annually elect its chair and other  
103 officers. The commission shall hold at least four regular  
104 meetings each year at the call of the chair or upon the written  
105 request of three members of the commission. A majority of the  
106 members of the commission constitutes a quorum.

107 (3) The Department of Legal Affairs shall serve as legal  
108 counsel to the commission.

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110 ===== T I T L E A M E N D M E N T =====

111 And the title is amended as follows:

112 Delete lines 1 - 12

113 and insert:

114 An act relating to criminal justice; amending s.  
115 216.136, F.S.; requiring the Criminal Justice  
116 Estimating Conference to develop projections of prison  
117 admissions and populations for elderly felony  
118 offenders; amending s. 921.0021, F.S.; revising the  
119 definition of "victim injury" by removing a  
120 prohibition on assessing certain victim injury  
121 sentence points for sexual misconduct by an employee  
122 of the Department of Corrections or a private  
123 correctional facility with an inmate or an offender  
124 supervised by the department; conforming a provision  
125 to changes made by the act; amending s. 943.11, F.S.;  
126 modifying the composition of the Criminal Justice



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127 Standards and Training Commission; adding to the  
128 commission a circuit court judge, a state attorney and  
129 additional resident of the state; specifying that the  
130 Governor choose the newly added appointments from  
131 lists submitted by the Office of the State Court  
132 Administrator and from the Florida Prosecuting  
133 Attorneys Association; requiring residents serving on  
134 the commission to have never been employed with  
135 certain departments, institutions, or agencies;  
136 removing the training center director from the  
137 commission; requiring that the 5 law enforcement  
138 officers and one correctional officer appointed to the  
139 commission be of the rank of captain or below;  
140 amending s.