



460020

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/19/2020	.	
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Appropriations Subcommittee on Criminal and Civil Justice  
(Hooper) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 112.531, Florida Statutes, is reordered  
and amended to read:

112.531 Definitions.—As used in this part, the term:

(2)~~(1)~~ "Law enforcement officer" means any person, other  
than a chief of police, who is employed full time or part time  
by any municipality or the state or any political subdivision



460020

11 thereof and whose primary responsibility is the prevention and  
12 detection of crime or the enforcement of the penal, traffic, or  
13 highway laws of this state; and includes any person who is  
14 appointed by the sheriff as a deputy sheriff under ~~pursuant to~~  
15 s. 30.07.

16 (1)~~(2)~~ "Correctional officer" means any person, other than  
17 a warden, who is appointed or employed full time or part time by  
18 the state or any political subdivision thereof whose primary  
19 responsibility is the supervision, protection, care, custody, or  
20 control of inmates within a correctional institution; and  
21 includes correctional probation officers, as defined in s.  
22 943.10(3). However, the term "correctional officer" does not  
23 include any secretarial, clerical, or professionally trained  
24 personnel.

25 Section 2. Paragraph (a) of subsection (6) of section  
26 112.532, Florida Statutes, is amended to read:

27 112.532 Law enforcement officers' and correctional  
28 officers' rights.—All law enforcement officers and correctional  
29 officers employed by or appointed to a law enforcement agency or  
30 a correctional agency shall have the following rights and  
31 privileges:

32 (6) LIMITATIONS PERIOD FOR DISCIPLINARY ACTIONS.—

33 (a) Except as provided in this subsection, disciplinary  
34 action, suspension, demotion, or dismissal may not be undertaken  
35 by an agency against a law enforcement officer or correctional  
36 officer for any act, omission, or other allegation or complaint  
37 of misconduct, regardless of the origin of the allegation or  
38 complaint, if the investigation of the allegation or complaint  
39 is not completed within 180 days after the date the agency



460020

40 receives notice of the allegation or complaint by a person  
41 authorized by the agency to initiate an investigation of the  
42 misconduct. If the agency determines that disciplinary action is  
43 appropriate, it shall complete its investigation and give notice  
44 in writing to the law enforcement officer or correctional  
45 officer of its intent to proceed with disciplinary action, along  
46 with a proposal of the specific action sought, including length  
47 of suspension, if applicable. Notice to the officer must be  
48 provided within 180 days after the date the agency received  
49 notice of the alleged misconduct, regardless of the origin of  
50 the allegation or complaint, except as follows:

51 1. The running of the limitations period may be tolled for  
52 a period specified in a written waiver of the limitation by the  
53 law enforcement officer or correctional officer.

54 2. The running of the limitations period is tolled during  
55 the time that any criminal investigation or prosecution is  
56 pending in connection with the act, omission, or other  
57 allegation of misconduct.

58 3. If the investigation involves an officer who is  
59 incapacitated or otherwise unavailable, the running of the  
60 limitations period is tolled during the period of incapacitation  
61 or unavailability.

62 4. In a multijurisdictional investigation, the limitations  
63 period may be extended for a period of time reasonably necessary  
64 to facilitate the coordination of the agencies involved.

65 5. The running of the limitations period may be tolled for  
66 emergencies or natural disasters during the time period wherein  
67 the Governor has declared a state of emergency within the  
68 jurisdictional boundaries of the concerned agency.



460020

69           6. The running of the limitations period is tolled during  
70 the time that the officer's compliance hearing proceeding is  
71 continuing beginning with the filing of the notice of violation  
72 and a request for a hearing and ending with the written  
73 determination of the compliance review panel or upon the  
74 violation being remedied by the agency.

75           Section 3. This act shall take effect July 1, 2020.

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

78 And the title is amended as follows:

79           Delete everything before the enacting clause  
80 and insert:

81                           A bill to be entitled  
82           An act relating to law enforcement and correctional  
83 officers; reordering and amending s. 112.531, F.S.;  
84 revising definitions; amending s. 112.532, F.S.;  
85 specifying that an allegation or complaint of  
86 misconduct against a law enforcement officer or a  
87 correctional officer may originate from any source;  
88 providing an effective date.