



576-03900-20

Proposed Committee Substitute by the Committee on Appropriations  
(Appropriations Subcommittee on Criminal and Civil Justice)

A bill to be entitled

An act relating to law enforcement and correctional officers; reordering and amending s. 112.531, F.S.; revising definitions; amending s. 112.532, F.S.; specifying that an allegation or complaint of misconduct against a law enforcement officer or a correctional officer may originate from any source; providing an effective date.

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

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

(1)~~(2)~~ "Correctional officer" means any person, other than a warden, who is appointed or employed full time or part time by the state or any political subdivision thereof whose primary responsibility is the supervision, protection, care, custody, or control of inmates within a correctional institution; and



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28 includes correctional probation officers, as defined in s.  
29 943.10(3). However, the term "correctional officer" does not  
30 include any secretarial, clerical, or professionally trained  
31 personnel.

32 Section 2. Paragraph (a) of subsection (6) of section  
33 112.532, Florida Statutes, is amended to read:

34 112.532 Law enforcement officers' and correctional  
35 officers' rights.—All law enforcement officers and correctional  
36 officers employed by or appointed to a law enforcement agency or  
37 a correctional agency shall have the following rights and  
38 privileges:

39 (6) LIMITATIONS PERIOD FOR DISCIPLINARY ACTIONS.—

40 (a) Except as provided in this subsection, disciplinary  
41 action, suspension, demotion, or dismissal may not be undertaken  
42 by an agency against a law enforcement officer or correctional  
43 officer for any act, omission, or other allegation or complaint  
44 of misconduct, regardless of the origin of the allegation or  
45 complaint, if the investigation of the allegation or complaint  
46 is not completed within 180 days after the date the agency  
47 receives notice of the allegation or complaint by a person  
48 authorized by the agency to initiate an investigation of the  
49 misconduct. If the agency determines that disciplinary action is  
50 appropriate, it shall complete its investigation and give notice  
51 in writing to the law enforcement officer or correctional  
52 officer of its intent to proceed with disciplinary action, along  
53 with a proposal of the specific action sought, including length  
54 of suspension, if applicable. Notice to the officer must be  
55 provided within 180 days after the date the agency received  
56 notice of the alleged misconduct, regardless of the origin of



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57 the allegation or complaint, except as follows:

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

61         2. The running of the limitations period is tolled during  
62 the time that any criminal investigation or prosecution is  
63 pending in connection with the act, omission, or other  
64 allegation of misconduct.

65         3. If the investigation involves an officer who is  
66 incapacitated or otherwise unavailable, the running of the  
67 limitations period is tolled during the period of incapacitation  
68 or unavailability.

69         4. In a multijurisdictional investigation, the limitations  
70 period may be extended for a period of time reasonably necessary  
71 to facilitate the coordination of the agencies involved.

72         5. The running of the limitations period may be tolled for  
73 emergencies or natural disasters during the time period wherein  
74 the Governor has declared a state of emergency within the  
75 jurisdictional boundaries of the concerned agency.

76         6. The running of the limitations period is tolled during  
77 the time that the officer's compliance hearing proceeding is  
78 continuing beginning with the filing of the notice of violation  
79 and a request for a hearing and ending with the written  
80 determination of the compliance review panel or upon the  
81 violation being remedied by the agency.

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