

1 A bill to be entitled
 2 An act relating to law enforcement officer
 3 certification revocation and accountability; creating
 4 s. 943.6872, F.S.; requiring the Criminal Justice
 5 Standards and Training Commission to report specified
 6 data concerning law enforcement officers to a
 7 specified national registry; requiring such agencies
 8 to screen all prospective officers against such
 9 registry; authorizing the Legislature to designate a
 10 different national registry; providing that certain
 11 operators determine certain reporting and screening
 12 requirements; providing a presumption of a law
 13 enforcement agency's negligence under certain
 14 circumstances; revoking the certification of a law
 15 enforcement officer who has not been screened before
 16 hiring; providing for recertification of such officers
 17 in certain circumstances; requiring the commission to
 18 take specified actions in certain circumstances;
 19 providing for law enforcement agencies to contest the
 20 commission's findings within a specified period;
 21 providing an effective date.

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 23 Be It Enacted by the Legislature of the State of Florida:
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25 Section 1. Section 943.6872, Florida Statutes, is created

26 | to read:

27 | 943.6872 Data collection; certification revocation;
28 | accountability.-

29 | (1) (a) Except as provided in paragraph (b), beginning
30 | January 1, 2022, the Criminal Justice Standards and Training
31 | Commission shall report data concerning a law enforcement agency
32 | that employs a law enforcement officer who has had his or her
33 | certification revoked for misconduct to the National
34 | Decertification Index (NDI) operated by the International
35 | Association of Directors of Law Enforcement Standards and
36 | Training. Each law enforcement agency shall screen all
37 | prospective law enforcement officers against the NDI before
38 | hiring.

39 | (b) The Legislature may, by concurrent resolution,
40 | designate a different national registry, such as a successor
41 | entity to the NDI, for use in compliance with this section as
42 | long as the registry's reporting and screening standards are as
43 | comprehensive and current as those of the NDI.

44 | (2) The specific data required to be reported, the
45 | reporting and screening frequency, and the format required for
46 | reporting and screening in compliance with this section shall be
47 | determined by the operator of the applicable registry.

48 | (3) If a law enforcement agency fails to screen a law
49 | enforcement officer in compliance with this section, or if a law
50 | enforcement agency hires a law enforcement officer with a

51 history of misconduct, and if future allegations that are
52 substantially similar are made against that officer, the failure
53 to comply with this section shall be considered a rebuttable
54 presumption of negligence against the law enforcement agency.

55 (4) (a) A law enforcement officer who has not been screened
56 against the NDI or a designated national registry before hiring
57 shall have his or her certification revoked and may not exercise
58 law enforcement authority until he or she successfully passes
59 the such screening.

60 (b) A law enforcement officer who has had his or her
61 certification revoked pursuant to paragraph (a), has not been
62 employed by a law enforcement agency for a period of 3 years or
63 fewer, and is otherwise eligible for recertification shall
64 submit his or her request for recertification in writing to the
65 Criminal Justice Standards and Training Commission. The
66 commission shall review such request and may grant
67 recertification following the requester's satisfactory
68 completion of training determined necessary by the commission
69 and following the requester's showing that he or she has the
70 ability to function effectively in the exercise of law
71 enforcement authority.

72 (5) If the Criminal Justice Standards and Training
73 Commission determines that a law enforcement agency failed to
74 use the NDI or a designated national registry in compliance with
75 this section, the commission shall notify the law enforcement

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76 | agency of this determination and require corrective action. The
77 | law enforcement agency shall have 15 days in which to contest
78 | the commission's findings by filing exceptions in writing with
79 | the commission. The commission shall consider any such
80 | exceptions and make a final determination.

81 | Section 2. This act shall take effect July 1, 2021.