

1                                   A bill to be entitled  
2           An act relating to the executive branch; amending s.  
3           20.201, F.S.; requiring the executive director of the  
4           Department of Law Enforcement to be appointed subject  
5           to a majority vote of the Governor and Cabinet with  
6           the Governor and Attorney General on the prevailing  
7           side; amending s. 20.24, F.S.; requiring the executive  
8           director of the Department of Highway Safety and Motor  
9           Vehicles to be appointed by the Governor, subject to a  
10          majority vote of the Governor and Cabinet with the  
11          Governor on the prevailing side, and confirmed by the  
12          Senate; providing that the executive director serves  
13          at the pleasure of the Governor and Cabinet; amending  
14          s. 20.255, F.S.; requiring the appointment of the  
15          Secretary of Environmental Protection to be subject to  
16          a majority vote of the Governor and Cabinet with the  
17          Governor on the prevailing side; amending s. 20.37,  
18          F.S.; requiring the executive director of the  
19          Department of Veterans' Affairs to be appointed  
20          subject to a majority vote of the Governor and Cabinet  
21          with the Governor on the prevailing side; requiring  
22          the Office of Program Policy Analysis and Government  
23          Accountability to contract for a review of the  
24          Department of Law Enforcement; providing requirements  
25          for the selected contractor; providing requirements

26 | for the review; requiring the department to provide  
 27 | the contractor with access to certain information;  
 28 | retaining the exempt or confidential and exempt status  
 29 | of such information; requiring the contractor to  
 30 | submit a report to the Governor, Attorney General,  
 31 | Chief Financial Officer, Commissioner of Agriculture,  
 32 | and the Legislature by a certain date; providing an  
 33 | effective date.

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

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37 | Section 1. Subsection (1) of section 20.201, Florida  
 38 | Statutes, is amended to read:

39 | 20.201 Department of Law Enforcement.—

40 | (1) There is created a Department of Law Enforcement. The  
 41 | head of the department is the Governor and Cabinet. The  
 42 | executive director of the department shall be appointed by the  
 43 | Governor subject to a majority vote of the Governor and Cabinet  
 44 | consisting of at least three affirmative votes, with the  
 45 | Governor and Attorney General on the prevailing side. The  
 46 | appointment is ~~with the approval of three members of the Cabinet~~  
 47 | ~~and~~ subject to confirmation by the Senate. The executive  
 48 | director shall serve at the pleasure of the Governor and  
 49 | Cabinet. The executive director may establish a command,  
 50 | operational, and administrative services structure to assist,

51 manage, and support the department in operating programs and  
52 delivering services.

53 Section 2. Subsection (1) of section 20.24, Florida  
54 Statutes, is amended to read:

55 20.24 Department of Highway Safety and Motor Vehicles.—  
56 There is created a Department of Highway Safety and Motor  
57 Vehicles.

58 (1) The head of the Department of Highway Safety and Motor  
59 Vehicles is the Governor and Cabinet. The executive director of  
60 the department shall be appointed by the Governor subject to a  
61 majority vote of the Governor and Cabinet consisting of at least  
62 three affirmative votes, with the Governor on the prevailing  
63 side. The appointment is subject to confirmation by the Senate.  
64 The executive director shall serve at the pleasure of the  
65 Governor and Cabinet.

66 Section 3. Subsection (1) of section 20.255, Florida  
67 Statutes, is amended to read:

68 20.255 Department of Environmental Protection.—There is  
69 created a Department of Environmental Protection.

70 (1) The head of the Department of Environmental Protection  
71 shall be a secretary, who shall be appointed by the Governor  
72 subject to a majority vote of the Governor and Cabinet  
73 consisting of at least three affirmative votes, with the  
74 Governor on the prevailing side, ~~with the concurrence of three~~  
75 ~~members of the Cabinet.~~ The appointment is subject to

76 | confirmation ~~secretary shall be confirmed~~ by the Florida Senate.  
 77 | The secretary shall serve at the pleasure of the Governor.

78 | Section 4. Subsection (1) of section 20.37, Florida  
 79 | Statutes, is amended to read:

80 | 20.37 Department of Veterans' Affairs.—There is created a  
 81 | Department of Veterans' Affairs.

82 | (1) The head of the department is the Governor and  
 83 | Cabinet. The executive director of the department shall be  
 84 | appointed by the Governor subject to a majority vote of the  
 85 | Governor and Cabinet consisting of at least three affirmative  
 86 | votes, with the Governor on the prevailing side. The appointment  
 87 | is with the approval of three members of the Cabinet and subject  
 88 | to confirmation by the Senate. The executive director shall  
 89 | serve at the pleasure of the Governor and Cabinet.

90 | Section 5. (1) Subject to an appropriation, the Office of  
 91 | Program Policy Analysis and Government Accountability (OPPAGA)  
 92 | shall contract for a review of the Department of Law  
 93 | Enforcement.

94 | (2) The contractor selected by OPPAGA must have experience  
 95 | in reviewing large, statewide, or federal law enforcement  
 96 | agencies.

97 | (3) The contractor shall perform a comprehensive review of  
 98 | the Department of Law Enforcement and determine whether the  
 99 | programs, functions, and services provided by the department are  
 100 | consistent with its mission. The contractor shall review each

101 such program, function, and service, identifying its number of  
102 users, cost, and effectiveness by geographical location. As part  
103 of its review, the contractor shall do all of the following:

104 (a) Make recommendations regarding the department's scope  
105 of services, including, but not limited to, identifying any  
106 service that should be expanded, consolidated, eliminated, or  
107 transferred to another agency or entity.

108 (b) Investigate and make specific findings and  
109 recommendations on the department's crime laboratories and  
110 forensic analysis processes, including:

111 1. The accreditation and qualifications of the crime  
112 laboratories and their employees.

113 2. The number and type of forensic analyses performed at  
114 each laboratory.

115 3. The average length of time required to complete each  
116 type of forensic analysis.

117 4. Whether there is an existing backlog of material  
118 submitted for forensic analysis.

119 5. A comparison of the department's laboratories' scope of  
120 services, accreditation, and sample processing time with those  
121 of other crime laboratories in similar jurisdictions.

122 6. Whether any of the forensic analyses performed by the  
123 department should be transferred to another state or local  
124 agency, and whether barriers exist to any such transfers.

125 (c) Investigate and make specific findings and

126 recommendations on any programs operated by the department which  
127 are limited to a given geographic service area, including the  
128 following:

129 1. Identification of the number of users, cost, and  
130 effectiveness of the programs.

131 2. A determination as to whether the programs should be  
132 expanded statewide, eliminated, or transferred to another state  
133 or local agency, and whether barriers exist to any such  
134 transfers.

135 (d) Identification of each accreditation earned by the  
136 department and a determination as to whether any additional  
137 accreditation is recommended.

138 (e) Identification of the number and types of cases  
139 investigated by the department and a determination as to whether  
140 criminal charges were filed as a result of such investigations.

141 (f) Identification of the number of cases involving  
142 cybersecurity and related technology issues which were  
143 investigated by the department and a determination as to whether  
144 criminal charges were filed as a result of such investigations.

145 (g) Identification of any responsibilities of the  
146 department which can be transferred to another state or local  
147 agency, resulting in improved efficiency or accountability.

148 (4) Notwithstanding any other law to the contrary, the  
149 department shall provide the contractor with access to any  
150 information requested by the contractor to complete its review.

151 Information or records obtained by the contractor which are  
152 otherwise exempt or confidential and exempt from public records  
153 requirements shall retain such exempt or confidential and exempt  
154 status, and the contractor may not disclose any such information  
155 or records.

156 (5) The contractor shall submit its report to the  
157 Governor, the Attorney General, the Chief Financial Officer, the  
158 Commissioner of Agriculture, the President of the Senate, and  
159 the Speaker of the House of Representatives by January 1, 2022.

160 Section 6. This act shall take effect July 1, 2021.