

By Senator Bracy

11-01513-22

20221494__

1 A bill to be entitled
2 An act relating to law enforcement officer body
3 cameras and vehicle dash cameras; amending s.
4 943.1718, F.S.; providing legislative intent; defining
5 the term "vehicle dash camera"; requiring each law
6 enforcement agency in this state to mandate that its
7 law enforcement officers wear body cameras and use
8 vehicle dash cameras; requiring law enforcement
9 agencies to establish specified policies and
10 procedures; deleting a provision relating to
11 applicability; providing a declaration of important
12 state interest; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Section 943.1718, Florida Statutes, is amended
17 to read:

18 943.1718 Body cameras and vehicle dash cameras required;
19 policies and procedures.—

20 (1) It is the intent of the Legislature to require all law
21 enforcement officers in this state to wear body cameras and use
22 vehicle dash cameras to ensure the safety of both the law
23 enforcement officers and members of the public and for purposes
24 of accountability and accuracy in instances when the
25 circumstances surrounding a law-enforcement-related encounter or
26 activity is in question.

27 (2) As used in this section, the term:

28 (a) "Body camera" means a portable electronic recording
29 device ~~that is~~ worn on a law enforcement officer's person which

11-01513-22

20221494__

30 ~~that~~ records audio and video data of the officer's law-
31 enforcement-related encounters and activities.

32 (b) "Law enforcement agency" means an agency that has a
33 primary mission of preventing and detecting crime and enforcing
34 the penal, criminal, traffic, and motor vehicle laws of the
35 state and in furtherance of that primary mission employs law
36 enforcement officers as defined in s. 943.10.

37 (c) "Law enforcement officer" has the same meaning as
38 provided in s. 943.10.

39 (d) "Vehicle dash camera" means a nonportable electronic
40 recording device used by a law enforcement officer in a law
41 enforcement officer's vehicle which records audio or video data
42 of the officer's law-enforcement-related encounters and
43 activities.

44 (3)(2) Each A law enforcement agency shall require that
45 permits its law enforcement officers to wear body cameras and
46 use vehicle dash cameras and shall establish policies and
47 procedures addressing the proper use, maintenance, and storage
48 of body cameras and vehicle dash cameras and the data recorded
49 by the body cameras and vehicle dash cameras. The policies and
50 procedures must include all of the following:

51 (a) General guidelines for the proper use, maintenance, and
52 storage of body cameras and vehicle dash cameras.

53 (b) Any limitations on which law enforcement officers are
54 permitted to wear body cameras and use vehicle dash cameras.

55 (c) Any limitations on law-enforcement-related encounters
56 and activities in which law enforcement officers are permitted
57 to wear body cameras and use vehicle dash cameras.

58 (d) A provision permitting a law enforcement officer using

11-01513-22

20221494__

59 a body camera or vehicle dash camera to review the recorded
60 footage from the body camera or vehicle dash camera, upon his or
61 her own initiative or request, before writing a report or
62 providing a statement regarding any event arising within the
63 scope of his or her official duties. Any such provision may not
64 apply to an officer's inherent duty to immediately disclose
65 information necessary to secure an active crime scene or to
66 identify suspects or witnesses.

67 (e) General guidelines for the proper storage, retention,
68 and release of audio and video data recorded by body cameras and
69 vehicle dash cameras.

70 ~~(4) (3) Each~~ A law enforcement agency under subsection (3)
71 ~~that permits its law enforcement officers to wear body cameras~~
72 shall:

73 (a) Ensure that all personnel who ~~wear,~~ use, maintain, or
74 store body cameras and vehicle dash cameras are trained in the
75 law enforcement agency's policies and procedures concerning
76 them.

77 (b) Ensure that all personnel who use, maintain, store, or
78 release audio or video data recorded by body cameras and vehicle
79 dash cameras are trained in the law enforcement agency's
80 policies and procedures.

81 (c) Retain audio and video data recorded by body cameras
82 and vehicle dash cameras in accordance with the requirements of
83 s. 119.021, except as otherwise provided by law.

84 (d) Perform a periodic review of actual agency body camera
85 and vehicle dash camera practices to ensure conformity with the
86 agency's policies and procedures.

87 ~~(4) Chapter 934 does not apply to body camera recordings~~

11-01513-22

20221494__

88 ~~made by law enforcement agencies that elect to use body cameras.~~

89 Section 2. The Legislature finds that a proper and
90 legitimate state purpose is served by safeguarding law
91 enforcement officers and the persons they interact with on a
92 daily basis and by validating the accuracy of the circumstances
93 surrounding such interactions. The Legislature determines and
94 declares that this act fulfills an important state interest.

95 Section 3. This act shall take effect July 1, 2022.