

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Gantt offered the following:

2
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Section 112.5331, Florida Statutes, is created
6 to read:

7 112.5331 Preemption to the state.—

8 (1) It is the intent of the Legislature that the receipt,
9 processing, and investigation of complaints against law
10 enforcement officers and correctional officers, and the rights
11 and privileges afforded to such officers while under
12 investigation, apply uniformly throughout the state.

629035

Approved For Filing: 2/16/2024 3:56:22 PM

Amendment No.

13 (2) Accordingly, it is unlawful for a county,
14 municipality, special district, or other political subdivision
15 of the state to pass or enforce any ordinance, resolution, or
16 rule relating to the receipt, processing, or investigation of
17 complaints of misconduct by law enforcement officers and
18 correctional officers, except as otherwise expressly provided in
19 this part, or to pass or enforce any ordinance, resolution, or
20 rule relating to civilian oversight of a law enforcement agency
21 in relation to the investigation of complaints of misconduct by
22 law enforcement officers and correctional officers.

23 (3) However, a civilian review board or committee in
24 existence before July 1, 2024, may not be preempted until a
25 review has been conducted. The state shall create a task force
26 for the purpose of conducting a 2-year review of existing
27 civilian review boards or committees. The task force must
28 contain members from each existing review board and include
29 research specialists within the State University System
30 institutions. By July 1, 2026, the task force shall provide to
31 the Legislature a comprehensive report that details all of the
32 following:

33 (a) The effectiveness of existing civilian review boards
34 or committees.

35 (b) The impact civilian review boards or committees have
36 on the relationship between a community and local law
37 enforcement agencies and correctional facilities.

629035

Approved For Filing: 2/16/2024 3:56:22 PM

Amendment No.

38 (c) The number and types of cases referred to civilian
39 review boards or committees each year and the outcomes of such
40 cases. Specifically, the report must state if a case is for a
41 violent or nonviolent offense or a violation of a person's
42 constitutional rights.

43 (d) The collaboration or lack thereof of a law enforcement
44 agency's or correctional facility's collective bargaining agent
45 with the civilian review board or committee and the impact on
46 the participation of law enforcement officers and correctional
47 officers referred to the board or committee.

48 (e) The originating sources of the cases referred to a
49 civilian review board or committee.

50 (f) Any other information the task force believes is
51 pertinent relating to the impact of civilian review boards or
52 committees.

53 Section 2. This act shall take effect July 1, 2024.

54 -----
55

56 **T I T L E A M E N D M E N T**

57 Remove everything before the enacting clause and insert:

58 A bill to be entitled

59 An act relating to complaints against law enforcement
60 and correctional officers; creating s. 112.5331, F.S.;
61 providing legislative intent; preempting regulation of
62 complaints against law enforcement officers and

629035

Approved For Filing: 2/16/2024 3:56:22 PM

Amendment No.

63 | correctional officers to the state; requiring the
64 | state to create a task force for a specified purpose;
65 | providing for membership of the task force; requiring
66 | such task force to provide a report to the Legislature
67 | by a date certain; providing requirements for such
68 | report; providing an effective date.
69 |

629035

Approved For Filing: 2/16/2024 3:56:22 PM