

1 A bill to be entitled

2 An act relating to complaints against law enforcement
3 and correctional officers; amending s. 112.532, F.S.;
4 requiring a copy of a complaint, signed by the
5 complainant under oath, to be provided to law
6 enforcement officers and correctional officers who are
7 under investigation; prohibiting certain personnel
8 action from being taken against a law enforcement
9 officer or correctional officer unless such officer
10 receives a copy of the complaint signed by the
11 complainant under oath; prohibiting the investigative
12 file of certain investigations of law enforcement
13 officers or correctional officers from being included
14 in such officer's personnel file; prohibiting the
15 existence of certain investigations from affecting the
16 officer's ability to receive a promotion, raise, or
17 other commendation; amending s. 112.533, F.S.;
18 requiring a complaint against a law enforcement
19 officer or correctional officer to be in writing and
20 signed under oath by the person filing the complaint;
21 providing penalties for making a false complaint;
22 providing an effective date.

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24 Be It Enacted by the Legislature of the State of Florida:
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26 **Section 1. Paragraph (d) of subsection (1) and subsection**
27 **(4) of section 112.532, Florida Statutes, are amended, and**
28 **subsection (8) is added to that section, to read:**

29 112.532 Law enforcement officers' and correctional
30 officers' rights.—All law enforcement officers and correctional
31 officers employed by or appointed to a law enforcement agency or
32 a correctional agency shall have the following rights and
33 privileges:

34 (1) RIGHTS OF LAW ENFORCEMENT OFFICERS AND CORRECTIONAL
35 OFFICERS WHILE UNDER INVESTIGATION.—Whenever a law enforcement
36 officer or correctional officer is under investigation and
37 subject to interrogation by members of his or her agency for any
38 reason that could lead to disciplinary action, suspension,
39 demotion, or dismissal, the interrogation must be conducted
40 under the following conditions:

41 (d) The law enforcement officer or correctional officer
42 under investigation must be informed of the nature of the
43 investigation and the names of all complainants and also be
44 provided a copy of the complaint, signed by the complainant
45 under oath, before any interrogation begins, ~~and he or she must~~
46 ~~be informed of the names of all complainants.~~ All identifiable
47 witnesses shall be interviewed, whenever possible, prior to the
48 beginning of the investigative interview of the accused officer.
49 The complaint, all witness statements, including all other
50 existing subject officer statements, and all other existing

51 evidence, including, but not limited to, incident reports, GPS
52 locator information, and audio or video recordings relating to
53 the incident under investigation, must be provided to each
54 officer who is the subject of the complaint before the beginning
55 of any investigative interview of that officer. An officer,
56 after being informed of the right to review witness statements,
57 may voluntarily waive the provisions of this paragraph and
58 provide a voluntary statement at any time.

59 (4) NOTICE OF DISCIPLINARY ACTION; COPY OF AND OPPORTUNITY
60 TO ADDRESS CONTENTS OF INVESTIGATIVE FILE; CONFIDENTIALITY.—

61 (a) A dismissal, demotion, transfer, reassignment, or
62 other personnel action that might result in loss of pay or
63 benefits or that might otherwise be considered a punitive
64 measure may not be taken against any law enforcement officer or
65 correctional officer unless the law enforcement officer or
66 correctional officer is notified of the action and the reason or
67 reasons for the action and he or she is provided a copy of the
68 complaint signed by the complainant under oath before the
69 effective date of the action.

70 (b) Notwithstanding s. 112.533(5), whenever a law
71 enforcement officer or correctional officer is subject to
72 disciplinary action consisting of suspension with loss of pay,
73 demotion, or dismissal, the officer or the officer's
74 representative must, ~~upon request,~~ be provided with a complete
75 copy of the investigative file, including the complaint signed

76 by the complainant under oath, the final investigative report
77 and all evidence, and with the opportunity to address the
78 findings in the report with the employing law enforcement agency
79 before imposing disciplinary action consisting of suspension
80 with loss of pay, demotion, or dismissal. The contents of the
81 complaint and investigation must remain confidential until such
82 time as the employing law enforcement agency makes a final
83 determination whether to issue a notice of disciplinary action
84 consisting of suspension with loss of pay, demotion, or
85 dismissal. This paragraph does not provide law enforcement
86 officers with a property interest or expectancy of continued
87 employment, employment, or appointment as a law enforcement
88 officer.

89 (8) RIGHTS OF LAW ENFORCEMENT OFFICERS AND CORRECTIONAL
90 OFFICERS AFTER AN INVESTIGATION.—The investigative file of an
91 investigation of a law enforcement or correctional officer which
92 does not result in any disciplinary action to the officer may
93 not be included in the personnel file of such officer. The
94 existence of an investigation that did not result in
95 disciplinary action of the law enforcement or correctional
96 officer may not affect the ability of such officer to receive a
97 promotion, raise, or other commendation.

98 **Section 2. Paragraph (a) of subsection (4) of section**
99 **112.533, Florida Statutes, is amended to read:**

100 112.533 Receipt and processing of complaints.—

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101 (4) (a) Every law enforcement agency and correctional
102 agency shall establish and put into operation a system for the
103 receipt, investigation, and determination of complaints received
104 by such agency from any person, which must be the procedure for
105 investigating a complaint against a law enforcement or
106 correctional officer and for determining whether to proceed with
107 disciplinary action or to file disciplinary charges,
108 notwithstanding any other law or ordinance to the contrary. A
109 complaint against a law enforcement or correctional officer must
110 be in writing and be signed under oath pursuant to s. 92.525(2)
111 by the person filing the complaint. A complainant who makes a
112 false complaint is subject to the penalties in s. 92.525(3).
113 When law enforcement or correctional agency personnel assigned
114 the responsibility of investigating the complaint prepare an
115 investigative report or summary, regardless of form, the person
116 preparing the report shall, at the time the report is completed:
117 1. Verify pursuant to s. 92.525 that the contents of the
118 report are true and accurate based upon the person's personal
119 knowledge, information, and belief.
120 2. Include the following statement, sworn and subscribed
121 to pursuant to s. 92.525:
122 "I, the undersigned, do hereby swear, under penalty of perjury,
123 that, to the best of my personal knowledge, information, and
124 belief, I have not knowingly or willfully deprived, or allowed
125 another to deprive, the subject of the investigation of any of

126 | the rights contained in ss. 112.532 and 112.533, Florida
127 | Statutes."

128 |

129 | The requirements of subparagraphs 1. and 2. must be completed
130 | before the determination as to whether to proceed with
131 | disciplinary action or to file disciplinary charges. This
132 | subsection does not preclude the Criminal Justice Standards and
133 | Training Commission from exercising its authority under chapter
134 | 943.

135 | **Section 3.** This act shall take effect July 1, 2025.