

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Criminal Justice

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BILL: SB 1544

INTRODUCER: Senator Pizzo

SUBJECT: Complaints Against Law Enforcement and Correctional Officers

DATE: January 30, 2026

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Vaughan	Stokes	CJ	<b>Pre-meeting</b>
2.			GO	
3.			RC	

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**I. Summary:**

SB 1544 amends s. 112.532, F.S., to allow officers to receive a copy of the complaint when such officer is under investigation. Under the bill, it is required that the complainant sign the complaint under oath and a copy of the signed complaint be provided to the officers involved in the complaint. Such complaint must be given:

- While the officer is under investigation, but prior to any interrogation.
- During the notice of disciplinary action which may result in dismissal, demotion, transfer or other personnel action that occurs prior to such action being taken.
- When an officer is subject to disciplinary action consisting of suspension with loss of pay, demotion, or dismissal.

If the complaint is accompanied by corroborating evidence, the complainant names and signature are not required, unless the officer is subject to disciplinary action.

The bill removes the provision that the officer or officer's representative must request a complete copy of the investigative file, when an officer is subject to disciplinary action.

Section 112.532(8), F.S., is created to provide that the investigative file of an investigation of a law enforcement or correctional officer which does not result in disciplinary action on the officer *must* be included in that officer's personnel file. Such investigations may not affect the ability of the officer to receive a promotion, a raise, or any other commendation.

The bill amends s. 112.533, F.S., to require a complaint against a law enforcement or correctional officer to be in writing and signed under oath, by the person filing the complaint.

Any complainant who makes a false complaint is guilty of the crime of perjury by false written declaration which constitutes a third degree felony.<sup>1,2</sup>

The bill may have an indeterminate fiscal impact on counties and municipalities due to additional administrative and compliance requirements. Additionally, the bill may have a positive indeterminate prison bed impact (unquantifiable increase in prison beds) on the Department of Corrections. *See Section V. Fiscal Impact Statement.*

The bill takes effect on July 1, 2026.

## II. Present Situation:

The Commission on Accreditation for Law Enforcement Agencies<sup>3</sup> requires agencies to maintain a written directive that mandates the investigation of all complaints against the agency or its employees, including anonymous complaints.<sup>4</sup> Likewise, the Commission for Florida Law Enforcement Accreditation standard requires agencies to have a written directive that establishes clear procedures for receiving, documenting, and processing all complaints involving the agency or its personnel.<sup>5</sup>

### Officer Bill of Rights

Law enforcement officers' and correctional officers' rights are outlined in the Florida Statutes, these are commonly referred to as, "law enforcement officers' bill of rights."<sup>6</sup> Whenever a law enforcement officer or correctional officer is under investigation and subject to interrogation by members of his or her agency for any reason that could lead to disciplinary action, suspension, demotion, or dismissal, the interrogation must be conducted under the following conditions:<sup>7</sup>

- The interrogation must be conducted at a reasonable hour;
- The interrogation must take place either at the office of the command of the investigating officer or at the local precinct, police unit, or correctional unit in which the incident allegedly occurred;
- The officer under investigation must be informed of the rank, name, and command of the officer in charge of the investigation, the interrogating officer, and all persons present during the interrogation. All questions directed to the officer under interrogation must be asked by or through one interrogator during any one interrogation;
- The officer must be informed of the nature of the investigation before any interrogation begins, and must be informed of the names of all complainants;
- Interrogating sessions must be for reasonable periods and must be timed to allow for personal necessities and rest periods;

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<sup>1</sup> Section 92.525(3), F.S.

<sup>2</sup> A felony of the third degree is punishable by a term of imprisonment not exceeding 5 years and a \$5000 fine, punishable as provided in ss. 775.082, 775.083, and 775.084, F.S.

<sup>3</sup> Commission on Accreditation for Law Enforcement Agencies, *26.2.1 Complaint Investigation*, available at <https://www.calea.org/node/11406> (Last visited January 30, 2026).

<sup>4</sup> Florida Sheriffs Association, *Analysis of SB 1544*, (on file with the Senate Committee on Criminal Justice).

<sup>5</sup> Commission for Florida Law Enforcement Accreditation, Inc., *Standards Manual, 20.01 Investigations*, available at [CFA Edition 5.19 Feb 2023](#) (Last visited January 30, 2026).

<sup>6</sup> Section 112.532, F.S.

<sup>7</sup> Section 112.532(1), F.S.

- The officer under interrogation may not be subjected to offensive language or be threatened with transfer, dismissal, or disciplinary action. A promise or reward may not be made as an inducement to answer questions;
- Interrogating sessions, including all recess periods, must be recorded on audio tape, or otherwise preserved in such a manner as to allow a transcript to be prepared, and there shall be no unrecorded questions or statements. A copy of any recording of the interrogation session must be made available upon request to the interrogated officer no later than 72 hours, excluding holidays and weekends, following said interrogation;
- If the officer under interrogation is under arrest, or is likely to be placed under arrest, he or she must be completely informed of all his or her rights before commencing the interrogation; and
- At the request of the officer under investigation, he or she has the right to counsel, who must be present at all times during the interrogation.

Under the bill of rights, officers must receive notice of disciplinary action, a copy of and the opportunity to address contents of the investigative file. Any dismissal, demotion, transfer, reassignment, or other personnel action that might result in loss of pay or benefits or that might otherwise be considered a punitive measure may not be taken against any law enforcement officer or correctional officer unless the law enforcement officer or correctional officer is notified of the action and the reason or reasons for the action before the effective date of the action.<sup>8</sup> Officers may request and obtain a copy of the file. The contents of the complaint and investigation must remain confidential until such time as the employing law enforcement agency makes a final determination whether or not to issue a notice of disciplinary action consisting of suspension with loss of pay, demotion, or dismissal.<sup>9</sup>

No law enforcement officer or correctional officer shall be discharged; disciplined; demoted; denied promotion, transfer, or reassignment; or otherwise discriminated against in regard to his or her employment or appointment, or be threatened with any such treatment, by reason of his or her exercise of the rights granted by this part.<sup>10</sup>

### ***Investigations of Law Enforcement Officers***

Section 112.533, F.S., provides that every law enforcement agency and correctional agency must establish and put into operation a system for the receipt, investigation, and determination of complaints received from any person, which must be the procedure for investigating a complaint against a law enforcement and correctional officer determining whether to proceed with disciplinary action or to file disciplinary charges.<sup>11</sup> When law enforcement or correctional agency personnel assigned the responsibility of investigating the complaint prepare an investigative report or summary, regardless of form, the person preparing the report must, at the time the report is completed:

- Verify that the contents are true and accurate based on the person's personal knowledge, information, and belief,<sup>12</sup> and

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<sup>8</sup> Section 112.532(4)(a), F.S.

<sup>9</sup> Section 112.532(4)(b), F.S.

<sup>10</sup> Section 112.532(5), F.S.

<sup>11</sup> Section 112.533, F.S.

<sup>12</sup> Section 95.525, F.S.

- Include a specific sworn statement.<sup>13</sup>

### III. Effect of Proposed Changes:

The bill amends s. 112.532, F.S., to allow officers to receive a copy of the complaint when such officer is under investigation. Under the bill, it is required that the complainant sign the complaint under oath and a copy of the signed complaint be provided to the officers involved in the complaint. Such complaint must be given:

- While the officer is under investigation, but prior to any interrogation.
- During the notice of disciplinary action which may result in dismissal, demotion, transfer or other personnel action that occurs prior to such action being taken.
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If the complaint is accompanied by corroborating evidence, the complainant names and signature are not required, unless the officer is subject to disciplinary action.

The bill removes the provision that the officer or officer's representative must request a complete copy of the investigative file, when an officer is subject to disciplinary action.

Section 112.532(8), F.S., is created to provide that the investigative file of an investigation of a law enforcement or correctional officer which does not result in disciplinary action on the officer *must* be included in that officer's personnel file. Such investigations may not affect the ability of the officer to receive a promotion, a raise, or any other commendation. Currently, if there is a succession of "not sustained" investigations, a sheriff or chief may require remedial action or take some other non-disciplinary action to address what appears to be a pattern even though no discipline is imposed.<sup>14</sup>

The bill amends s. 112.533, F.S., to require a complaint against a law enforcement or correctional officer to be in writing and signed under oath, by the person filing the complaint.

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<sup>13</sup> Section 112.533(4)(a)2., F.S. "I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, F.S."

<sup>14</sup> *Id.*

Any complainant who makes a false complaint is guilty of the crime of perjury by false written declaration which constitutes a third degree felony.<sup>15,16</sup>

The bill takes effect on July 1, 2026.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

##### **D. State Tax or Fee Increases:**

None.

##### **E. Other Constitutional Issues:**

None.

#### **V. Fiscal Impact Statement:**

##### **A. Tax/Fee Issues:**

None.

##### **B. Private Sector Impact:**

None.

##### **C. Government Sector Impact:**

The Legislature's Office of Economic and Demographic Research (EDR) and the Criminal Justice Impact Conference, which provides the final, official estimate of the prison bed impact, if any, of legislation, has determined that the bill may have a positive insignificant prison bed impact on the Department of Corrections (DOC). The EDR provides the following additional information regarding its estimate:

<sup>15</sup> Section 92.525(3), F.S.

<sup>16</sup> A felony of the third degree is punishable by a term of imprisonment not exceeding 5 years and a \$5000 fine, punishable as provided in ss. 775.082, 775.083, and 775.084, F.S.

- Per DOC, in FY 24-25, there were no new commitments to prison for the offense of perjury. Per FDLE, there were 369 discipline cases resolved in FY 24-25. However, it does not include citizen complaints, so it is not known how many complaints or complainants there were last fiscal year.<sup>17</sup>

## VI. Technical Deficiencies:

None.

## VII. Related Issues:

Difficulties may be encountered in obtaining a written complaint under oath, and there is the separate issue of obtaining corroborating evidence if a sworn written complaint cannot be obtained. The bill raises questions as to what constitutes corroborating evidence.<sup>18</sup>

Additionally, the Florida Sheriff's Association reports that the bill may interfere with accreditation best practices:

Commission for Law Enforcement Accreditation ("CALEA") standard 26.2.1 requires an agency to have a written directive which requires all complaints against an agency or its employees to be investigated, to include anonymous complaints. The Commission for Florida Law Enforcement Accreditation (CFA) standard 20.01 requires a written directive establishing procedures for processing all complaints against the agency or its members.<sup>19</sup>

## VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 112.532, 112.533

## IX. Additional Information:

### A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

### B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>17</sup> Office of Economic and Demographic Research, *SB 1544 Complaints Against Law Enforcement and Correctional Officers*, (on file with the Senate Committee on Criminal Justice).

<sup>18</sup> Florida Sheriffs Association, *Analysis of SB 1544*, (on file with the Senate Committee on Criminal Justice).

<sup>19</sup> *Id.*