

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [CS/HB 401](#)

TITLE: Security for Statewide Constitutional Office Candidates

SPONSOR(S): Sirois

COMPANION BILL: [SB 500](#) (Avila)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[State Affairs](#)

21 Y, 0 N, As CS

[Judiciary](#)

[Budget](#)

SUMMARY

Effect of the Bill:

The bill requires the Florida Department of Law Enforcement (FDLE) to provide a protective security detail to major political party nominees for Governor and Lieutenant Governor, and to the officers-elect of those positions until assumption of office.

Fiscal or Economic Impact:

The bill will likely have a negative fiscal impact on the state due to increased FDLE personnel and operational costs.

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ANALYSIS

EFFECT OF THE BILL:

The bill requires the [Florida Department of Law Enforcement](#) (FDLE) to provide a protective security detail to the nominee of a [political party](#), other than a minor political party, for the offices of Governor and Lieutenant Governor.¹ The protective security detail begins immediately after the [Elections Canvassing Commission](#) certifies the results of the primary election and continues until the nominee concedes the general election or until the Elections Canvassing Commission certifies the results of the general election, whichever occurs first. For nominees who are elected, FDLE must continue providing the protective security detail until the officer-elect assumes office. (Section [1](#))

The effective date of the bill is July 1, 2026. (Section [2](#))

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill will likely have a negative fiscal impact on the state due to increased FDLE personnel and operational costs associated with providing the mandatory protective security details required under the bill. According to FDLE, the bill would increase the workload of existing protective agents and require the procurement of additional resources.²

¹ The current major political parties in Florida are the Republican Party of Florida and the Florida Democratic Party.

² FDLE, Agency Analysis of 2026 HB 401 (January 6, 2026) (on file with the State Affairs Committee). FDLE estimates costs of approximately \$1.19 million, including about \$563,000 in nonrecurring funds; however, the estimate included a protective security detail for Cabinet nominees and officers-elect. Accordingly, the fiscal impact is expected to be less than the amount reflected in FDLE's estimate.

STORAGE NAME: h0401.SAC

DATE: 1/22/2026

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Florida Department of Law Enforcement

The Florida Department of Law Enforcement (FDLE) is a statewide law enforcement agency headed by the Governor and Cabinet³ and administered by an executive director.⁴ FDLE houses the Capitol Police, whose primary responsibility is to provide security for the Governor, Lieutenant Governor, Cabinet members, Legislators, as well as for employees assigned to assist those officials in the performance of their official duties.⁵ In carrying out this responsibility, Capitol Police are authorized to respond to criminal activity or security threats against such officials or employees.⁶

Security and Transportation Services

Current law requires FDLE to provide security and transportation services⁷ for the Governor and his or her immediate family.⁸ In addition, when requested by the Governor, Lieutenant Governor, a Cabinet member, Speaker of the House of Representatives, President of the Senate, or Chief Justice of the Supreme Court, FDLE must also provide such services to others if the requesting official certifies that the services are in the best interest of the state.⁹ However, the services are limited to persons visiting the state for a significant public purpose or to circumstances in which failing to provide services could pose a clear and present danger to personal safety or property, or result in public embarrassment to the state.¹⁰ FDLE must coordinate protective services with the United States Secret Service and U.S. Department of State when requested by those agencies, the Governor, or a Cabinet member, and, if the department finds it necessary, it may coordinate with or request assistance from any other law enforcement agency.¹¹

Elections Canvassing Commission

The Elections Canvassing Commission (commission) is composed of the Governor and two members of the Cabinet selected by the Governor.¹² The commission is responsible for certifying the official results of primary and general elections of federal, state, and multicounty offices, as well as constitutional amendments.¹³ The commission meets on the ninth day after a primary election and the fourteenth day after a general election to certify election returns—those dates occur during this election cycle on August 27, 2026, and November 17, 2026, respectively. Commission certification establishes the official nominees of political parties following a primary election and the officers-elect following a general election.

³ [Art. IV, s. 4\(g\), FLA. CONST.](#); see also [s. 20.201, F.S.](#)

⁴ The executive director, commonly referred to as the Commissioner, must be a resident of the state and have served five years as a police executive or possess training and experience in police affairs or public administration. [S. 943.03\(1\), F.S.](#); see also FDLE, [FDLE Headquarters](#) (last visited December 17, 2025). The executive director is appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side, and confirmed by the Senate. [S. 20.201\(1\), F.S.](#)

⁵ Capitol Police are also responsible for ensuring such officials and employees have access to buildings and premises within the Capitol Complex and responding to criminal activity or security threats within the Capitol Complex. [S. 943.61\(1\) and \(4\)\(g\), F.S.](#)

⁶ [S. 943.61\(4\)\(g\), F.S.](#)

⁷ The Capitol Police are responsible for carrying out the security and transportation services. [S. 943.61\(4\)\(k\), F.S.](#)

⁸ FDLE is also responsible for providing security for the Governor's office and mansion. See [s. 943.68\(1\), F.S.](#) Assignments to the Governor's protective detail remain subject to the Governor's continuing approval, and the executive director must reassign any agent upon the Governor's request. [S. 943.68\(3\), F.S.](#)

⁹ The requesting party may delegate certification authority to the executive director of FDLE. [S. 943.68\(6\), F.S.](#)

¹⁰ [S. 943.68\(6\)\(a\) and \(b\), F.S.](#) With respect to visiting governors and their families, FDLE is authorized to provide security and transportation services upon request of the Governor. [S. 943.68\(5\), F.S.](#)

¹¹ [S. 943.68\(7\) and \(8\), F.S.](#)

¹² All members of the commission serve ex officio. [S. 102.111\(1\), F.S.](#)

¹³ [S. 102.111\(2\), F.S.](#)

Florida Policial Parties

The Florida Election Code recognizes two types of political parties, major and minor, which are distinguished based on statewide voter registration. A minor political party is any party that does not have at least 5 percent of the total registered electors of the state registered as members as of January 1 preceding the primary election.¹⁴ Political parties that meet or exceed the 5 percent threshold are treated as major political parties for purposes of election administration. As of June 9, 2025, Florida recognized two major political parties—the Republican Party of Florida and the Florida Democratic Party—and 15 minor political parties.¹⁵

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
State Affairs Committee	21 Y, 0 N, As CS	1/22/2026	Williamson	Villa
THE CHANGES ADOPTED BY THE COMMITTEE:	Removed major political party nominees for Cabinet officers and Cabinet officers-elect from the list of individuals that are required to receive a protective security detail.			
Judiciary Committee				
Budget Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

¹⁴ [S. 97.021\(20\), F.S.](#)

¹⁵ The minor political parties are the America First Party of Florida, American Solidarity Party of Florida, Boricua Party, Coalition with a Purpose Party, Constitution Party of Florida, Ecology Party of Florida, Florida Forward Party, Green Party of Florida, Independent Party of Florida, Jeffersonian Party of Florida, Libertarian Party of Florida, MGTOW Party, Party for Socialism and Liberation – Florida, and Reform Party. Florida Department of State, [Political Parties](#) (last visited December 17, 2025).