

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.)

Prepared By: The Professional Staff of the Committee on Rules

BILL: CS/SB 504

INTRODUCER: Appropriations Committee on Criminal and Civil Justice and Senator Burgess

SUBJECT: Code Inspector Body Cameras

DATE: February 2, 2026 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Tolmich</u>	<u>Fleming</u>	<u>CA</u>	Favorable
2.	<u>Kolich</u>	<u>Harkness</u>	<u>ACJ</u>	Fav/CS
3.	<u>Tolmich</u>	<u>Kruse</u>	<u>RC</u>	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 504 creates s. 162.41, F.S., requiring governmental entities that permit code inspectors to wear body cameras to establish certain policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by such body cameras.

The bill also requires governmental entities that permit code inspectors to wear body cameras to provide training for specified personnel regarding body camera policies and procedures; retain audio and video data recorded by body cameras under certain circumstances; perform periodic reviews of actual body camera practices to ensure conformity with the governmental entity's body camera policies and procedures; and ensure that all personnel who use, maintain, store, or release audio or video data recorded by body cameras are trained in their policies and procedures.

The bill defines "body camera" as a portable electronic recording device worn on a code inspector's person which records audio and video data of the code inspector's encounters and activities.

The bill specifies that ch. 934, F.S. (interception of communications), does not apply to body camera recordings made by code inspectors who elect to use body cameras.

The bill does not have a fiscal impact on state revenues or expenditures. See Section V., Fiscal Impact Statement.

The bill takes effect on July 1, 2026.

II. Present Situation:

County and Municipal Code Enforcement

Code enforcement is a function of local government and affects people's daily lives. Its purpose is to enhance the quality of life and economy of local government by protecting the health, safety, and welfare of the community.¹ Local governments possess a constitutional right to self-government.² Local codes and ordinances allow local governments to enforce regulations on a variety of matters ranging from zoning, tree cutting, nuisances, and excessive noise.³

Chapters 125, 162, and 166, F.S.,⁴ provide counties and municipalities with a mechanism to enforce its codes and ordinances. These statutes are offered as permissible code enforcement mechanisms, but are not binding to local governments, which may use any enforcement mechanism they choose, or combination thereof.⁵

In each statutory mechanism, a local government designates code inspectors⁶ or code enforcement officers,⁷ tasked with investigating potential code violations, providing notice of violations, and issuing citations for noncompliance. Beyond these specified duties, the statutory scheme makes clear that code inspectors lack the authority to perform the functions or duties of a law enforcement officer.⁸

The Local Government Code Enforcement Boards Act (Act), located in Part I of ch. 162, F.S., allows each county and municipality to create by ordinance one or more local government code enforcement boards. A code enforcement board is an administrative board made up of members appointed by the governing body of a county or municipality with the authority to hold hearings and impose administrative fines and other noncriminal penalties for violations of county or municipal codes or ordinances.

Part II of ch. 162, F.S., provides local governments with supplemental methods for enforcing codes and ordinances without establishing a code enforcement board. The statutes allow counties and municipalities to designate some of its employees or agents as code enforcement officers authorized to enforce county or municipal codes or ordinances. Employees or agents who may be

¹ Section 162.02, F.S.

² Art. VIII, FLA CONST.

³ Violations of the Florida Building Code, however, are enforced pursuant to ss. 553.79 and 553.80, F.S., and not within the scope of this bill or the sections of law analyzed herein. *See* s. 125.69(4)(g), F.S.

⁴ Chapter 125 Part II (county self-government), Chapter 162 Part 1 (Local Government Code Enforcement Boards Act), Chapter 162 Part II (supplemental procedures), and s. 166.0415, F.S. (municipal code enforcement).

⁵ Sections 125.69(4)(k), 162.13, 162.21(8), and 166.0415(7), F.S.

⁶ “Code inspector” means any authorized agent or employee of the county or municipality whose duty it is to assure code compliance. Section 162.04, F.S.

⁷ Section 162.21(1), F.S., defines the term “code enforcement officer” to mean “any designated employee or agent of a county or municipality whose duty it is to enforce codes and ordinances enacted by the county or municipality.”

⁸ Section 125.69(4)(h), F.S.

designated as code enforcement officers may include, but are not limited to, code inspectors, law enforcement officers, animal control officers, or firesafety inspectors.⁹

A code enforcement officer may issue a citation to a person when, based upon personal investigation, the officer has reasonable cause to believe that the person has committed a civil infraction in violation of a duly enacted code or ordinance and that the county court will hear the charge.¹⁰ However, prior to issuing a citation, a code enforcement officer must provide notice to the person that the person has committed a violation of a code or ordinance and provide a reasonable time period, no more than 30 days, within which the person must correct the violation. If, upon personal investigation, a code enforcement officer finds that the person has not corrected the violation within the time period, the officer may issue a citation.¹¹

Counties and municipalities that choose to enforce codes or ordinances under the provisions of Part II must enact an ordinance establishing the code enforcement procedures. The ordinance, among other requirements, must provide procedures for the issuance of a citation by a code enforcement officer. A violation of a code or an ordinance enforced under Part II is a civil infraction and carries a maximum civil penalty of \$500.¹²

Code enforcement involves potential risks and dangers due to the sensitive nature of the work, which may include requiring individuals to alter their property or give up their possessions.¹³ In recent years, there have been several violent incidents involving code enforcement officers and the public. In March 2023, a man was arrested in Columbus, Ohio, for allegedly dragging a City of Columbus code enforcement officer while holding an ax.¹⁴ In February 2025, a man was arrested after allegedly threatening to shoot a Biscayne Park, Florida code enforcement officer over a \$25 fine.¹⁵

In response to these types of incidents, some local governments require or have contemplated adopting certain safety measures for code enforcement officers, including mandating code enforcement officers be equipped with body cameras.¹⁶ For example, Miami-Dade County has adopted a standard operating procedure that requires code enforcement officers to wear body

⁹ Section 162.21(2), F.S.

¹⁰ Section 162.21(3)(a), F.S.

¹¹ Section 162.21(3)(c), F.S.

¹² Section 162.21(5), F.S.

¹³ Building Safety Journal, *Inspectors are learning code of cautiousness*, September 28, 2020, available at: [Inspectors are learning code of cautiousness - ICC](#) (last visited January 15, 2026).

¹⁴ WSYX, *Man drags Columbus code enforcement officer while holding ax during home inspection*, March 3, 2023, available at: <https://abc6onyourside.com/news/local/man-drags-columbus-code-enforcement-officer-while-holding-ax-during-home-inspection-south-ashburton-road-anthony-margiotti-spit-on-officer-court-franklin-county-correction-center> (last visited January 15, 2026).

¹⁵ WLPB, *Man accused of threatening to shoot Biscayne Park code enforcement officer after receiving \$25 fine*, February 4, 2025, available at: <https://www.local10.com/news/local/2025/02/04/man-accused-of-threatening-to-shoot-biscayne-park-code-enforcement-officer-after-receiving-25-fine/> (last visited January 15, 2026).

¹⁶ See e.g., Tampa Bay 28, *Haines City Police Department reinstates body-worn camera program*, December 19, 2025, available at: <https://www.tampabay28.com/news/region-polk/haines-city-police-department-reinstates-body-worn-camera-program> (last visited January 15, 2026). See also Observer Local News, *Volusia could seek state law change to allow code enforcement officers to wear body cameras*, June 4, 2024, available at: <https://www.observerlocalnews.com/news/2024/jun/04/volusia-could-seek-state-law-change-to-allow-code-enforcement-officers-to-wear-body-cameras/> (last visited January 15, 2026).

cameras and outlines guidelines for the management and official use of the body camera system.¹⁷ The policy was adopted in order to achieve several objectives, including enhancing field safety, promoting accountability, and increasing public trust.¹⁸ The policy also describes training guidelines, user procedure and responsibilities, inspection and maintenance requirements, and prohibited actions and conduct.¹⁹

There is no provision in current law that specifically authorizes or prohibits local governments from permitting local governments to allow code enforcement officers to wear body cameras.

Body Cameras Utilized by Law Enforcement Officers

Current law addresses the usage of body cameras by law enforcement officers. Section 943.1718(1)(a), F.S., defines “body camera” as a portable electronic recording device that is worn on a law enforcement officer’s person that records audio and video data of the officer’s law enforcement-related encounters and activities.²⁰

Body Camera Policies and Procedures

Law enforcement agencies²¹ that permit law enforcement officers to wear body cameras are required to establish policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by such body cameras.²² The policies and procedures must include:

- General guidelines for the proper use, maintenance, and storage of body cameras;²³
- Any limitations on which law enforcement officers are permitted to wear body cameras;²⁴
- Any limitations on law enforcement-related encounters and activities in which law enforcement officers are permitted to wear body cameras;²⁵
- A provision permitting a law enforcement officer using a body camera to review the recorded footage from the body camera, upon his or her own initiative or request, before writing a report or providing a statement regarding any event arising within the scope of his or her official duties;²⁶ and
- General guidelines for the proper storage, retention, and release of audio and video data recorded by body cameras.²⁷

¹⁷ Miami-Dade County, Code Compliance Division, Body-Worn Cameras Standard Operating Procedure. On file with the Committee on Community Affairs.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ See s. 943.10, F.S., for the definition of “law enforcement officer.”

²¹ “Law enforcement agency” means an agency that has a primary mission of preventing and detecting crime and enforcing the penal, criminal, traffic, and motor vehicle laws of the state and in furtherance of that primary mission employs law enforcement officers. Section 943.1718(1)(b), F.S.

²² Section 943.1718(2), F.S.

²³ Section 943.1718(2)(a), F.S.

²⁴ Section 943.1718(2)(b), F.S.

²⁵ Section 943.1718(2)(c), F.S.

²⁶ Such provision may not apply to an officer’s inherent duty to immediately disclose information necessary to secure an active crime scene or to identify suspects or witnesses. Section 943.1718(2)(d), F.S.

²⁷ Section 943.1718(2)(e), F.S.

Law enforcement agencies that permit law enforcement officers to wear body cameras must also:²⁸

- Ensure that all personnel who wear, use, maintain, or store body cameras are trained in the law enforcement agency's body camera policies and procedures;²⁹
- Ensure that all personnel who use, maintain, store, or release audio or video data recorded by body cameras are trained in the law enforcement agency's policies and procedures;³⁰
- Retain audio and video data recorded by body cameras in accordance with current law, with certain exceptions;³¹ and
- Perform a periodic review of actual agency body camera practices to ensure conformity with the agency's policies and procedures.³²

Interception of Communications

Chapter 934, F.S., governs the security of various types of communications in the state and limits the ability to intercept, monitor, and record such communications.

Section 934.03, F.S., provides that individuals who intentionally intercept, endeavor to intercept, or procure any other person to intercept or endeavor to intercept any wire, oral, or electronic communication commits a third degree felony.³³ Current law provides for certain exceptions to this section. For example, it is lawful for:

- An investigative or law enforcement officer or a person acting under the direction of such officer to intercept a wire, oral, or electronic communication when such person is a party to the communication or one of the parties to the communication has given prior consent to such interception and the purpose of such interception is to obtain evidence of a criminal act;³⁴ or
- A person to intercept a wire, oral, or electronic communication when all of the parties to the communication have given prior consent to such interception.³⁵

However, s. 943.1718, F.S., provides that ch. 934, F.S., does not apply to body camera recordings made by law enforcement agencies that elect to use body cameras. This permits law enforcement officers to wear body cameras when on duty without having to inform each individual he or she encounters that they are being recorded. Although, the exclusion only applies to body camera recordings that consist of audio and video data of the officer's law enforcement-related encounters and activities.

²⁸ Section 943.1718(3), F.S.

²⁹ Section 943.1718(3)(a), F.S.

³⁰ Section 943.1718(3)(b), F.S.

³¹ Section 943.1718(3)(c), F.S. Section 119.021 provides for the maintenance, preservation, and retention of public records.

³² Section 943.1718(3)(d), F.S.

³³ A third degree felony is punishable by a term of imprisonment not exceeding 5 years and a fine of up to \$5,000. Sections 775.082(3)(e) and 775.083(1)(c), F.S. See section 934.03(4), F.S., for exceptions to such punishment.

³⁴ Section 934.03(2)(c), F.S.

³⁵ Section 934.03(2)(d), F.S.

III. Effect of Proposed Changes:

This bill creates s. 162.41, F.S., requiring governmental entities that permit code inspectors to wear body cameras to establish policies and procedures addressing the proper use, maintenance, and storage of body cameras and the data recorded by such body cameras. The policies and procedures must include:

- General guidelines for the proper use, maintenance, and storage of body cameras;
- Any limitation on which code inspectors are permitted to wear body cameras;
- Any limitation on code enforcement-related encounters and activities in which code inspectors are permitted to wear body cameras; however, a code inspector must be permitted to use a body camera to record any encounter with a member of the public which occurs while the inspector is performing his or her duties; and
- General guidelines for the proper storage, retention, and release of audio and video data recorded by body cameras.

The bill also requires governmental entities that permit code inspectors to wear body cameras to:

- Ensure that all personnel who wear, use, maintain, or store body cameras are trained in the governmental entity's body camera policies and procedures;
- Retain audio and video data recorded by body cameras in accordance with the requirements of s. 119.021, F.S., relating to custodial requirements and maintenance, preservation, and retention of public records, except as otherwise provided by law; and
- Perform a periodic review of actual body camera practices to ensure conformity with the governmental entity's body camera policies and procedures.
- Ensure that all personnel who use, maintain, store, or release audio or video data recorded by body cameras are trained in their policies and procedures.

The bill defines "body camera" as a portable electronic recording device worn on a code inspector's person which records audio and video data of the code inspector's encounters and activities. The bill also defines "code inspector" as any authorized agent or employee of the county or municipality whose duty it is to assure code compliance.

The bill specifies that ch. 934, F.S., (interception of communications), does not apply to body camera recordings made by code inspectors who elect to use body cameras. This allows code inspectors to wear body cameras while performing their official duties without needing to inform each individual he or she encounters that they are being recorded. If the body camera recording does not contain audio and video data of the code inspector's code enforcement-related encounters and activities, the exclusion does not apply.

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The mandate provisions of Art. VII, s. 18 of the State Constitution do not apply because the requirements of the bill apply only to governmental entities that permit code inspectors to wear body cameras.

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 bill may have a minimal workload impact on local governments that permit code inspectors to wear body cameras because the bill creates a new requirement for such entities to establish policies and procedures regarding their use.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 162.41 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Criminal Justice on January 21, 2026:

The committee substitute adds a requirement that all personnel who use, maintain, store, or release audio or video data recorded by body cameras are trained in their policies and procedures.

- B. **Amendments:**

None.