

By Senator Smith

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1 A bill to be entitled
2 An act relating to Florida Highway Patrol body camera
3 use; creating s. 321.51, F.S.; defining terms;
4 requiring members of the Florida Highway Patrol to
5 wear a functioning body camera under certain
6 circumstances; specifying that the body camera must
7 remain activated under certain circumstances;
8 requiring the Department of Highway Safety and Motor
9 Vehicles to adopt certain policies and procedures,
10 ensure compliance with certain public records and
11 retention requirements, and provide certain training;
12 authorizing the department to contract with third-
13 party vendors to provide storage for body camera
14 recordings; providing that an officer who does not
15 comply with certain requirements, policies, and
16 procedures may be subject to disciplinary action;
17 exempting Florida Highway Patrol body camera
18 recordings from specified provisions relating to the
19 interception of wire, electronic, and oral
20 communications; amending s. 943.1718, F.S.; revising
21 the definitions of the terms "law enforcement agency"
22 and "law enforcement officer"; providing an
23 appropriation; providing an effective date.

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25 Be It Enacted by the Legislature of the State of Florida:

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27 Section 1. Section 321.51, Florida Statutes, is created to
28 read:

29 321.51 Use of body cameras required.-

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30 (1) As used in this section, the term:

31 (a) "Body camera" means a portable electronic recording
32 device that is worn on an officer's person and which records
33 audio and video data in the course of the officer performing his
34 or her official duties and responsibilities.

35 (b) "Department" means the Department of Highway Safety and
36 Motor Vehicles.

37 (c) "Officer" means a member of the Florida Highway Patrol.

38 (2) Each officer shall wear a functioning body camera while
39 on duty and engaged in an official law enforcement-related
40 activity or public interaction. The camera must remain activated
41 during law enforcement encounters, traffic stops, pursuits, and
42 arrests and any situation in which the officer's actions could
43 become the subject of an investigation or complaint.

44 (3) The department shall:

45 (a) Adopt written policies and procedures governing the
46 proper use, activation, deactivation, maintenance, and storage
47 of body cameras.

48 (b) Ensure compliance with the public records and retention
49 requirements of s. 119.071(2)(1).

50 (c) Provide training to all officers on the appropriate use
51 of body cameras, and legal considerations related thereto.

52 (4) The department may contract with a third-party vendor
53 to provide secure cloud-based data storage for body camera
54 recordings which is consistent with the state's cybersecurity
55 standards.

56 (5) An officer who does not comply with the requirements of
57 this section or with the policies and procedures of the
58 department relating to body camera use may be subject to

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59 disciplinary action.

60 (6) Chapter 934 does not apply to body camera recordings
61 made by officers wearing body cameras in accordance with this
62 section.

63 Section 2. Paragraphs (b) and (c) of subsection (1) of
64 section 943.1718, Florida Statutes, are amended to read:

65 943.1718 Body cameras; policies and procedures.—

66 (1) As used in this section, the term:

67 (b) "Law enforcement agency" means an agency that has a
68 primary mission of preventing and detecting crime and enforcing
69 the penal, criminal, traffic, and motor vehicle laws of the
70 state and in furtherance of that primary mission employs law
71 enforcement officers as defined in s. 943.10, except that the
72 term does not include the Florida Highway Patrol.

73 (c) "Law enforcement officer" has the same meaning as
74 provided in s. 943.10, except that the term does not include a
75 member of the Florida Highway Patrol.

76 Section 3. For the 2026-2027 fiscal year, the nonrecurring
77 sum of \$2 million is appropriated from the General Revenue Fund
78 to the Department of Highway Safety and Motor Vehicles to
79 implement this act. The funds must be used for the purchase,
80 maintenance, and storage of body cameras; to provide officer
81 training; and to provide secure, cloud-based data storage for
82 body camera recordings.

83 Section 4. This act shall take effect July 1, 2026.