

CS/CS/HB 849

2026

A bill to be entitled
An act relating to the Department of Law Enforcement; amending s. 112.195, F.S.; authorizing the Department of Law Enforcement to adopt rules relating to the Florida Medal of Valor and Florida Blue/Red Heart Medal programs; amending s. 406.02, F.S.; specifying that appointments and reappointments of members to the Medical Examiners Commission within the department are considered in force until certain conditions are met; requiring the commission to appoint district medical examiners by a majority vote to fill vacancies; amending s. 406.06, F.S.; requiring the commission, rather than the Governor, to appoint district medical examiners for medical examiner districts; providing that physician members of the commission are eligible to serve as district medical examiners upon approval by the commission, rather than by the Governor; amending s. 406.135, F.S.; authorizing an organ procurement organization, an eye bank, or a tissue bank to view or copy specified autopsy reports under certain circumstances; creating s. 943.0536, F.S.; requiring the Criminal Justice Information Program to collect, process, store, maintain, and disseminate records containing immigration detainer information under specified circumstances; requiring law

26 enforcement agencies to capture and submit
27 fingerprints of specified offenders to the department;
28 requiring the department to create certain records;
29 defining the terms "immigration detainer" and "law
30 enforcement agency"; amending s. 943.0581, F.S.;
31 authorizing the department to adopt a rule for the
32 administrative expunction of specified records under
33 certain circumstances; authorizing applications for
34 the administrative expunction of specified records
35 under certain circumstances; providing requirements
36 for an application for administrative expunction of
37 specified records; providing construction; amending s.
38 943.11, F.S.; requiring the Criminal Justice
39 Professionalism Program to provide staff support to
40 the Criminal Justice Standards and Training Commission
41 within the department; requiring the commission to act
42 independently of any criminal justice agency; amending
43 s. 943.1395, F.S.; providing manners of administrative
44 complaint service by the Criminal Justice Standards
45 and Training Commission to law enforcement,
46 correctional, and correctional probation officers;
47 amending ss. 943.1726, 943.17261, 943.1727, and
48 943.17299, F.S.; requiring the Criminal Justice
49 Standards and Training Commission, rather than the
50 department, to establish online continued employment

51 training components relating to diabetic emergencies,
52 online initial training and continuing education
53 courses relating to medical use of marijuana,
54 continued employment training components relating to
55 autism spectrum disorder, and online continued
56 employment training components relating to Alzheimer's
57 disease and related forms of dementia, respectively;
58 providing effective dates.

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

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62 **Section 1. Effective upon becoming a law, subsection (4)**
63 **is added to section 112.195, Florida Statutes, to read:**

64 112.195 Florida Medal of Valor and Florida Blue/Red Heart
65 Medal.—

66 (4) The Department of Law Enforcement may adopt rules to
67 implement this section.

68 **Section 2. Paragraphs (b) and (c) of subsection (4) of**
69 **section 406.02, Florida Statutes, are redesignated as paragraphs**
70 **(c) and (d), respectively, subsection (2) is amended, and a new**
71 **paragraph (b) is added to subsection (4) of that section, to**
72 **read:**

73 406.02 Medical Examiners Commission; membership; terms;
74 duties; staff.—

75 (2) The term of office of the physicians appointed to the

76 commission shall be 4 years. The term of office of the state
77 attorney, public defender, sheriff, and county commissioner each
78 shall be 4 years unless she or he leaves that office sooner, in
79 which case her or his appointment will terminate. The term of
80 office of the funeral director shall be 4 years. Upon the
81 expiration of the present terms of office, the Governor shall
82 appoint two members for terms of 4 years, two members for terms
83 of 3 years, two members for terms of 2 years, and one member for
84 a term of 1 year. An appointment to fill a vacancy shall be for
85 the unexpired portion of the term. An appointment or
86 reappointment is considered in force until the appointee resigns
87 or no longer qualifies for the position or until the Governor
88 appoints a new member.

89 (4) The Medical Examiners Commission shall:

90 (b) Appoint district medical examiners by a majority vote
91 to fill a vacancy.

92 **Section 3. Subsection (1) of section 406.06, Florida
93 Statutes, is amended to read:**

94 406.06 District medical examiners; associates; suspension
95 of medical examiners.—

96 (1) (a) A district medical examiner shall be appointed by
97 the Medical Examiners Commission Governor for each medical
98 examiner district from nominees who are practicing physicians in
99 pathology, ~~whose nominations are submitted to the Governor by~~
100 ~~the Medical Examiners Commission~~. The term of office of each

101 district medical examiner shall be 3 years. An appointment to
102 fill a vacancy shall be for the unexpired portion of the term.

103 (b) A physician member of the Medical Examiners Commission
104 shall be eligible to serve as a district medical examiner upon
105 approval by the commission ~~Governor~~.

106 **Section 4. Paragraph (d) is added to subsection (3) of**
107 **section 406.135, Florida Statutes, to read:**

108 406.135 Autopsies; confidentiality of photographs and
109 video and audio recordings; confidentiality of reports of minor
110 victims of domestic violence; exemption.—

111 (3)

112 (d) Notwithstanding subsection (2), in order to facilitate
113 an anatomical gift or transplantation, an organ procurement
114 organization, an eye bank, or a tissue bank, as those terms are
115 defined in s. 765.511, may, pursuant to a written request
116 containing proof of the intent of the deceased, the deceased's
117 family, or the deceased's health care surrogate to make an
118 anatomical gift in accordance with chapter 765:

119 1. View or copy an autopsy report of a minor whose death
120 was related to an act of domestic violence; and

121 2. View or copy an autopsy report of a person whose manner
122 of death was determined by a medical examiner to have been by
123 suicide.

124 **Section 5. Section 943.0536, Florida Statutes, is created**
125 **to read:**

126 943.0536 Immigration detainer information; collection and
127 storage; fingerprinting.-

128 (1) The department's Criminal Justice Information Program,
129 acting as this state's central criminal justice information
130 repository, shall collect, process, store, maintain, and
131 disseminate immigration detainer information.

132 (2) (a) A law enforcement agency shall capture and
133 electronically submit to the department in the manner prescribed
134 by rule the fingerprints of a qualifying offender, as defined in
135 s. 943.325(2), who is in its custody and subject to an
136 immigration detainer.

137 (b) Upon receipt of the fingerprints required to be
138 submitted under paragraph (a), the department must create a
139 record containing the qualifying offender's immigration detainer
140 information.

141 (3) As used in this section, the terms "immigration
142 detainer" and "law enforcement agency" have the same meanings as
143 in s. 908.102.

144 **Section 6. Subsection (6) of section 943.0581, Florida**
145 **Statutes, is renumbered as subsection (7) and amended,**
146 **subsections (1), (2), and (3) are amended, and a new subsection**
147 **(6) is added to that section, to read:**

148 943.0581 Administrative expunction for arrests or
149 immigration detainer records made contrary to law or by
150 mistake.-

151 (1) Notwithstanding any law dealing generally with the
152 preservation and destruction of public records, the department
153 may adopt a rule pursuant to chapter 120 for the administrative
154 expunction of any nonjudicial record of an arrest or record
155 containing immigration detainer information described in s.
156 943.0536 of a minor or an adult made contrary to law or by
157 mistake.

158 (2) A law enforcement agency shall apply to the department
159 in the manner prescribed by rule for the administrative
160 expunction of any nonjudicial record of any arrest or record
161 containing immigration detainer information described in s.
162 943.0536 of a minor or an adult who is subsequently determined
163 by the agency, at its discretion, or by the final order of a
164 court of competent jurisdiction, to have been arrested or
165 detained contrary to law or by mistake.

166 (3) An adult or, in the case of a minor child, the parent
167 or legal guardian of the minor child, may apply to the
168 department in the manner prescribed by rule for the
169 administrative expunction of any nonjudicial record of an arrest
170 or record containing immigration detainer information described
171 in s. 943.0536 alleged to have been made contrary to law or by
172 mistake, provided that the application is supported by the
173 endorsement of the head of the arresting or detaining agency or
174 his or her designee or the state attorney of the judicial
175 circuit in which the arrest occurred or his or her designee.

176 (6) An application for an administrative expunction for a
177 record containing immigration detainer information as described
178 in s. 943.0536 must include the date and time when the person
179 was detained, the person's name, the offender-based tracking
180 system (OBTS) number, and information relating to the
181 immigration detainer. The application must be on the submitting
182 agency's letterhead and must be signed by the head of the
183 submitting agency or his or her designee.

184 (7)-(6) An application or endorsement under this section is
185 not admissible as evidence in any judicial or administrative
186 proceeding and may not be construed in any way as an admission
187 of liability in connection with an arrest or detention.

188 **Section 7. Paragraph (a) of subsection (1) of section**
189 **943.11, Florida Statutes, is amended to read:**

190 943.11 Criminal Justice Standards and Training Commission;
191 membership; meetings; compensation.—

192 (1) (a) There is created a Criminal Justice Standards and
193 Training Commission within the Department of Law Enforcement.
194 The Criminal Justice Professionalism Program shall provide staff
195 support to the commission as authorized in s. 943.09; however,
196 the commission must act independently of any criminal justice
197 agency. The commission shall be composed of 19 members,
198 consisting of the Secretary of Corrections or a designated
199 assistant; the Attorney General or a designee; the Director of
200 the Division of the Florida Highway Patrol; and 16 members

201 appointed by the Governor, consisting of 3 sheriffs; 3 chiefs of
202 police; 5 law enforcement officers who are of the rank of
203 sergeant or below within the employing agency; 2 correctional
204 officers, 1 of whom is an administrator of a state correctional
205 institution and 1 of whom is of the rank of sergeant or below
206 within the employing agency; 1 training center director; 1
207 person who is in charge of a county correctional institution;
208 and 1 resident of the state who falls into none of the foregoing
209 classifications. Prior to the appointment, the sheriff, chief of
210 police, law enforcement officer, and correctional officer
211 members must have had at least 4 years' experience as law
212 enforcement officers or correctional officers.

213 **Section 8. Subsection (11) is added to section 943.1395,
214 Florida Statutes, to read:**

215 943.1395 Certification for employment or appointment;
216 concurrent certification; reemployment or reappointment;
217 inactive status; revocation; suspension; investigation.—

218 (11) Notwithstanding s. 120.60(5), when an administrative
219 complaint is served on a certified law enforcement officer,
220 correctional officer, correctional probation officer, or
221 instructor, commission staff shall provide service by certified
222 mail to the certified officer's or instructor's last known
223 address of record and, if possible, by e-mail. If service does
224 not provide commission staff with proof of service, commission
225 staff shall call the last known telephone number of record and

226 cause a short, plain notice to the certified officer or
227 instructor to be posted on the front page of the commission's
228 website.

229 **Section 9. Section 943.1726, Florida Statutes, is amended**
230 **to read:**

231 943.1726 Continued employment training relating to
232 diabetic emergencies.—The commission ~~department~~ shall establish
233 an online continued employment training component relating to
234 diabetic emergencies. The training component shall include, but
235 need not be limited to, instruction on the recognition of
236 symptoms of such an emergency, distinguishing such an emergency
237 from alcohol intoxication or drug overdose, and appropriate
238 first aid for such an emergency. Completion of the training
239 component may count toward the 40 hours of instruction for
240 continued employment or appointment as a law enforcement officer
241 required under s. 943.135.

242 **Section 10. Section 943.17261, Florida Statutes, is**
243 **amended to read:**

244 943.17261 ~~Department of Law Enforcement;~~ Training related
245 to medical use of marijuana.—The commission ~~Department of Law~~
246 ~~Enforcement~~ shall develop a 4-hour online initial training
247 course, and a 2-hour online continuing education course, which
248 shall be made available for use by all law enforcement agencies
249 in this state. Such training shall cover the legal parameters of
250 marijuana-related activities governed by ss. 381.986 and 381.988

251 relating to criminal laws governing marijuana.

252 **Section 11. Section 943.1727, Florida Statutes, is amended**
253 **to read:**

254 943.1727 Continued employment training relating to autism
255 spectrum disorder.—The commission ~~department~~ shall establish a
256 continued employment training component relating to autism
257 spectrum disorder as defined in s. 627.6686. The training
258 component shall include, but need not be limited to, instruction
259 on the recognition of the symptoms and characteristics of an
260 individual on the autism disorder spectrum and appropriate
261 responses to an individual exhibiting such symptoms and
262 characteristics. Completion of the training component may count
263 toward the 40 hours of instruction for continued employment or
264 appointment as a law enforcement officer required under s.
265 943.135.

266 **Section 12. Section 943.17299, Florida Statutes, is**
267 **amended to read:**

268 943.17299 Continued employment training relating to
269 Alzheimer's disease and related forms of dementia.—The
270 commission ~~department~~ shall establish an online, continued
271 employment training component relating to Alzheimer's disease
272 and related forms of dementia. The training component must be
273 developed in consultation with the Department of Elder Affairs
274 and must include, but need not be limited to, instruction on
275 interacting with persons with Alzheimer's disease or a related

276 form of dementia, including instruction on techniques for
277 recognizing behavioral symptoms and characteristics, effective
278 communication, employing the use of alternatives to physical
279 restraints, and identifying signs of abuse, neglect, or
280 exploitation. Completion of the training component may count
281 toward the 40 hours of instruction for continued employment or
282 appointment as a law enforcement officer, correctional officer,
283 or correctional probation officer required under s. 943.135.

284 **Section 13.** Except as otherwise expressly provided in this
285 act and except for this section, which shall take effect upon
286 this act becoming a law, this act shall take effect July 1,
287 2026.