

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Oversight, Transparency &  
 2 Public Management Subcommittee

3 Representative Duggan offered the following:

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5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 112.531, Florida Statutes, is reordered  
 8 and amended to read:

9 112.531 Definitions.—As used in this part:

10 (1)~~(2)~~ "Correctional officer" means any person, other than  
 11 a warden, who is appointed or employed full time or part time by  
 12 the state or any political subdivision thereof whose primary  
 13 responsibility is the supervision, protection, care, custody, or  
 14 control of inmates within a correctional institution; and  
 15 includes correctional probation officers, as defined in s.  
 16 943.10(3). However, the term "correctional officer" does not

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17 include any secretarial, clerical, or professionally trained  
18 personnel.

19 ~~(2)~~(1) "Law enforcement officer" means any person, other  
20 than a chief of police, who is employed full time or part time  
21 by any municipality or the state or any political subdivision  
22 thereof and whose primary responsibility is the prevention and  
23 detection of crime or the enforcement of the penal, traffic, or  
24 highway laws of this state; and includes any person who is  
25 appointed by the sheriff as a deputy sheriff pursuant to s.  
26 30.07.

27 Section 2. Paragraph (a) of subsection (6) of section  
28 112.532, Florida Statutes, is amended to read:

29 112.532 Law enforcement officers' and correctional  
30 officers' rights.—All law enforcement officers and correctional  
31 officers employed by or appointed to a law enforcement agency or  
32 a correctional agency shall have the following rights and  
33 privileges:

34 (6) LIMITATIONS PERIOD FOR DISCIPLINARY ACTIONS.—

35 (a) Except as provided in this subsection, disciplinary  
36 action, suspension, demotion, or dismissal may not be undertaken  
37 by an agency against a law enforcement officer or correctional  
38 officer for any act, omission, or other allegation or complaint  
39 of misconduct, regardless of the origin of the allegation or  
40 complaint, if the investigation of the allegation or complaint  
41 is not completed within 180 days after the date the agency

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42 receives notice of the allegation or complaint by a person  
43 authorized by the agency to initiate an investigation of the  
44 misconduct. If the agency determines that disciplinary action is  
45 appropriate, it shall complete its investigation and give notice  
46 in writing to the law enforcement officer or correctional  
47 officer of its intent to proceed with disciplinary action, along  
48 with a proposal of the specific action sought, including length  
49 of suspension, if applicable. Notice to the officer must be  
50 provided within 180 days after the date the agency received  
51 notice of the alleged misconduct, regardless of the origin of  
52 the allegation or complaint, except as follows:

53 1. The running of the limitations period may be tolled for  
54 a period specified in a written waiver of the limitation by the  
55 law enforcement officer or correctional officer.

56 2. The running of the limitations period is tolled during  
57 the time that any criminal investigation or prosecution is  
58 pending in connection with the act, omission, or other  
59 allegation of misconduct.

60 3. If the investigation involves an officer who is  
61 incapacitated or otherwise unavailable, the running of the  
62 limitations period is tolled during the period of incapacitation  
63 or unavailability.

64 4. In a multijurisdictional investigation, the limitations  
65 period may be extended for a period of time reasonably necessary  
66 to facilitate the coordination of the agencies involved.

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67 5. The running of the limitations period may be tolled for  
68 emergencies or natural disasters during the time period wherein  
69 the Governor has declared a state of emergency within the  
70 jurisdictional boundaries of the concerned agency.

71 6. The running of the limitations period is tolled during  
72 the time that the officer's compliance hearing proceeding is  
73 continuing beginning with the filing of the notice of violation  
74 and a request for a hearing and ending with the written  
75 determination of the compliance review panel or upon the  
76 violation being remedied by the agency.

77 Section 3. This act shall take effect July 1, 2020.

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80 **T I T L E A M E N D M E N T**

81 Remove everything before the enacting clause and insert:  
82 An act relating to law enforcement and correctional officers;  
83 reordering and amending s. 112.531, F.S.; revising definitions;  
84 amending s. 112.532, F.S.; specifying that an allegation of  
85 misconduct may originate from any source; providing an effective  
86 date.