

## Committee on Criminal Justice

### HB 875 — Licensed Security Officers

by Rep. Workman and others (SB 1330 by Senator Latvala)

The bill authorizes licensed security officers and licensed security agency managers to temporarily detain persons at a critical infrastructure facility in certain circumstances and addresses other matters pertaining to personnel employed in services relating to private security, private investigation, or repossession services. The bill:

- Authorizes a licensed security officer or licensed security agency manager, in uniform and on the premises of a “critical infrastructure facility” (a term defined in the bill), who has probable cause to believe that a person has committed or is committing a crime against the client operating the premises or the client’s patron, to temporarily detain the person to ascertain the person’s identity and the circumstances of the person’s activity. The bill provides procedures for notifying law enforcement and transferring the detained person.
- Authorizes the licensed security officer or licensed security agency manager, while temporarily detaining the person, to search the detainee or the detainee’s belongings if the officer or manager observes that the person is armed with a firearm, concealed weapon, or destructive device that poses a threat to the safety of the officer, manager, or any person for whom the officer or manager is responsible for providing protection, or if the detainee admits to having a weapon in his or her possession. The search may only be to the extent necessary to disclose the presence of the weapon. The bill provides procedures for seizure and transfer of the weapon.
- Makes it a first degree misdemeanor for a person to engage in any activity for which ch. 493, F.S. (private investigative, private security, and repossession services), requires a license if the person does not hold the required license, if this is the offender’s first violation. A second or subsequent violation is a third degree felony and the Department of Agriculture and Consumer Services may seek the imposition of a civil penalty not to exceed \$10,000. This offense does not apply if the person engages in unlicensed activity within 90 days after the expiration date of the person’s license.
- Makes it a third degree felony for a person, while impersonating a security officer, private investigator, recovery agent, or other person required to have a license under ch. 493, F.S., to knowingly and intentionally force another person to assist the impersonator in an activity within the scope of duty of a professional licensed under that chapter. However, it is a second degree felony if a person commits this violation during the course of committing a felony, and a first degree felony if a person commits this violation during the course of committing a felony that results in death or serious bodily injury to another human being.
- Specifies uniform and badge or patch requirements for a security officer or security agency manager who possess a valid Class “G” license performing duties regulated under s. 493.631, F.S., which is created by the bill.
- Provides that a law enforcement officer, security officer, or security agency manager is not criminally or civilly liable for false arrest, false imprisonment, or unlawful detention

due to his or her custody and detention of a person, if done in compliance with  
s. 493.631, F.S.

If approved by the Governor, these provisions take effect July 1, 2013.

*Vote: Senate 38-0; House 116-0*