

## Committee on Military Affairs, Space, And Domestic Security

### **CS/CS/CS/CS/HB 283 — Seaports**

by Economic Affairs Committee; Justice Appropriations Subcommittee; Criminal Justice Subcommittee; Transportation and Highway Safety Subcommittee; and Rep. Young and others (CS/SB 524 by Transportation Committee and Senators Latvala, Hill, Garcia, Joyner, Ring, Storms, Gaetz, Bennett, Jones, Bullard, Sobel, Altman, and Smith)

#### *Port Citrus*

The bill amends s. 311.09, F.S., to include a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council (council). The bill also permits Citrus County to apply for a grant through the council to perform a feasibility study regarding the establishment of a port in Citrus County. The bill further provides that the membership of Port Citrus on the council shall terminate if the study determines that a port in Citrus County is not feasible.

#### *Seaport Security*

The bill also makes substantial changes to existing Florida law relating to security requirements for Florida's deepwater public ports. Florida is believed to be the only state with its own seaport security standards in addition to the federal standards. In broad terms, the bill amends s. 311.12, F.S., to address the duplicative security requirements mandated by both the state and federal government by: repealing the statewide minimum security standards; eliminating the Florida Department of Law Enforcement's (FDLE) role in the security of the seaports; and prohibiting seaports from charging a fee for a seaport specific access credential issued in addition to the federal Transportation Worker Identification Credential (TWIC).

Specifically, the bill makes the following changes to the state's seaport security laws:

- Repeals the statewide minimum security standards.
- Provides that seaports may implement security standards more stringent than the federal standards.
- Removes the authority for FDLE to exempt all or part of a seaport from the state's seaport security requirements, if FDLE determines that it is not vulnerable to criminal activity or terrorism.
- Revises the requirements for seaports to update their security plans, consistent with federal requirements.
- Deletes FDLE's Access Eligibility Reporting System.
- Prohibits seaports from charging a fee for the administration or production of any access control credential that requires or is associated with a fingerprint-based background check, in addition to the fee for the TWIC.
- Provides that beginning July 1, 2013, a seaport may not charge a fee for a seaport specific access credential issued in addition to the federal TWIC, except under certain circumstances.

- Deletes the requirement for a TWIC holder to execute an affidavit when seeking authorization for unescorted access to secure and restricted areas of a seaport.
- Removes the state criminal history screening and the state specific disqualifying offenses for working in a seaport.
- Removes the requirement for FDLE to conduct at least one annual unannounced inspection of each seaport to determine whether the seaport is meeting the statewide minimum security standards.
- Repeals the Seaport Security Standards Advisory Council established in s. 311.115, F.S.

If approved by the Governor, these provisions take effect upon becoming law.

*Vote: Senate 36-1; House 114-0*