

702-165AX-20

Bill No. CS/HB 1407

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

Representative(s) Cantens offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause

and insert:

Section 1. Section 20.201, Florida Statutes, is amended to read:

20.201 Department of Law Enforcement.--

(1) There is created a Department of Law Enforcement. The head of the department is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor with the approval of three members of the Cabinet and subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

(2) The following programs of the Department of Law Enforcement are established:

1 (a) Criminal Justice Investigations and Forensic  
2 Science Program.

3 (b) Criminal Justice Information Program.

4 (c) Criminal Justice Professionalism Program.

5 (d) Capitol Police.

6 Section 2. All statutory powers, duties, and functions  
7 of the Division of Capitol Police within the Department of  
8 Management Services related to the provision of security  
9 within the Capitol Complex, as defined in s. 281.01, Florida  
10 Statutes, and the support thereof, are transferred from the  
11 Department of Management Services to the Capitol Police within  
12 the Department of Law Enforcement by a type two transfer, as  
13 defined in s. 20.06(2), Florida Statutes.

14 Section 3. Effective July 1, 2002, section 281.01,  
15 Florida Statutes, is created to read:

16 281.01 Definitions.--For the purposes of ss.  
17 281.01-281.08, the term "Capitol Complex" includes that  
18 portion of Tallahassee, Leon County, Florida, commonly  
19 referred to as the Capitol, the Historic Capitol, the Senate  
20 Office Building, the House Office Building, the Knott  
21 Building, the Pepper Building, the Holland Building, and the  
22 curtilage of each, including the state-owned lands and public  
23 streets adjacent thereto within an area bounded by and  
24 including Monroe Street, Jefferson Street, Duval Street, and  
25 Gaines Street. The term shall also include the State Capital  
26 Circle Office Complex located in Leon County, Florida.

27 Section 4. Effective July 1, 2002, section 281.02,  
28 Florida Statutes, is amended to read:

29 281.02 Powers and duties of the Department of  
30 Management Services with respect to firesafety and security,  
31 ~~Florida Capitol Police.~~--The Department of Management

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1 Services, ~~Florida Capitol Police~~, has the following powers and  
2 duties with respect to firesafety and security:

3 (1) To assist the State Fire Marshal in maintaining  
4 the firesafety of public buildings pursuant to s. 633.085 To  
5 ~~establish a comprehensive and ongoing plan for the firesafety~~  
6 ~~and security of the Capitol, the Senate Office Building, the~~  
7 ~~House Office Building, and the Historic Capitol, including,~~  
8 ~~but not limited to, the institution of programs for the~~  
9 ~~awareness and training in firesafety and security of members~~  
10 ~~of the Legislature and their employees, and all other elected~~  
11 ~~officials and their respective employees, who occupy such~~  
12 ~~buildings. The Florida Capitol Police shall also ensure that~~  
13 ~~adequate signs and personnel are in place to inform and assist~~  
14 ~~the occupants of and visitors to such buildings.~~

15 (2) To make provision by rule, contract, lease, or  
16 interagency agreement for provide and maintain the firesafety  
17 ~~and security of all state-owned property leased from the~~  
18 ~~Department of Management Services, excluding state~~  
19 ~~universities and custodial institutions, the Capitol Complex~~  
20 ~~the Governor's office, the Governor's mansion and the grounds~~  
21 ~~thereof, and the Supreme Court. For these purposes, security~~  
22 shall include the safety and security of occupants and  
23 visitors to state-owned property, appropriate law enforcement  
24 response to complaints relating to criminal activity or  
25 security threats, the development of

26 ~~(3) To develop~~ emergency procedures and evacuation  
27 routes in the event of fire or disaster, and ensuring that  
28 ~~make~~ such procedures and routes are known to those persons  
29 occupying such property ~~state-owned buildings leased from the~~  
30 ~~Department of Management Services.~~

31 (3)(4) To employ+

1           ~~(a) Agents who hold certification as police officers~~  
2 ~~in accordance with the minimum standards and qualifications as~~  
3 ~~set forth in s. 943.13 and the provisions of chapter 110, who~~  
4 ~~shall have the authority to bear arms, make arrests, and apply~~  
5 ~~for arrest warrants; and~~

6           ~~(b) guards and administrative, clerical, technical,~~  
7 ~~and other personnel as may be required.~~

8           ~~(4)(5) To train employees and make provision for the~~  
9 ~~training of agents, guards, and employees of tenant agencies~~  
10 ~~agents and guards in security fire prevention, firesafety, and~~  
11 ~~emergency medical procedures.~~

12           ~~(6) To respond to all complaints relating to criminal~~  
13 ~~activity within state-owned buildings or state-leased~~  
14 ~~property.~~

15           ~~(5)(7) To make provision for the enforcement of~~  
16 ~~enforce rules of the Department of Management Services~~  
17 ~~governing the regulation of traffic and parking on state-owned~~  
18 ~~or state-leased property, including, but not limited to,~~  
19 ~~issuing citations for the violation of such rules or the~~  
20 ~~traffic laws of the state or any county or municipality and~~  
21 ~~impounding illegally or wrongfully parked vehicles.~~

22           ~~(6)(8) To delegate or assign its duties and~~  
23 ~~responsibilities furthering the provision of security as~~  
24 ~~required and authorized by provided in this section to any~~  
25 ~~state agency occupying such state-owned or state-leased~~  
26 ~~property. Security requirements may be included in lease~~  
27 ~~agreements or established by department rule.~~

28           Section 5. Effective July 1, 2002, section 281.03,  
29 Florida Statutes, is amended to read:

30           281.03 Incident reports and record retention  
31 ~~Investigations by the Florida Capitol Police.--~~

1           ~~(1) The Department of Management Services, Florida~~  
 2 ~~Capitol Police, shall conduct traffic accident investigations~~  
 3 ~~and investigations relating to felonies and misdemeanors~~  
 4 ~~occurring on state-owned or state-leased property. Any~~  
 5 ~~matters which are deemed to involve a felony may be referred~~  
 6 ~~to the appropriate law enforcement agency for criminal~~  
 7 ~~investigation. Such referrals shall include transmittal of~~  
 8 ~~records, reports, statements, and all other information~~  
 9 ~~relating to such matters.~~

10           ~~(2) The Department of Management Services, Florida~~  
 11 ~~Capitol Police, shall make provision for the collection and~~  
 12 ~~retention of retain copies of all reports relating to such~~  
 13 ~~criminal activity or other safety-related and security-related~~  
 14 ~~incidents occurring on state-owned or state-leased property~~  
 15 ~~for use in the ongoing firesafety and security planning and to~~  
 16 ~~fulfill its responsibilities under plan as required in s.~~  
 17 ~~281.02.~~

18           Section 6. Effective July 1, 2002, sections 281.04 and  
 19 281.05, Florida Statutes, are repealed.

20           Section 7. Section 281.06, Florida Statutes, is  
 21 amended to read:

22           281.06 Contracts with counties, municipalities, or  
 23 licensed private security agencies.--The Department of  
 24 Management Services, ~~Florida Capitol Police,~~ may contract with  
 25 the Department of Law Enforcement, Capitol Police, any county,  
 26 municipality, or licensed private security agency to provide  
 27 and maintain the security of state-owned or state-leased  
 28 property required by ss. 281.02-281.08 upon such terms as the  
 29 department may deem to be in the best interest of the state.

30           Section 8. Effective July 1, 2002, section 281.06,  
 31 Florida Statutes, as amended by this act, is amended to read:

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1           281.06 Contracts with counties, municipalities, or  
 2 licensed private security agencies.--The Department of  
 3 Management Services may contract with the Department of Law  
 4 Enforcement, Capitol Police, any county, municipality, or  
 5 licensed private security agency to provide and maintain the  
 6 security of state-owned or state-leased property, and the  
 7 safety and security of occupants and visitors thereof,  
 8 pursuant to ~~required by~~ ss. 281.02-281.08 upon such terms as  
 9 the department may deem to be in the best interest of the  
 10 state.

11           Section 9. Effective July 1, 2002, section 281.07,  
 12 Florida Statutes, is amended to read:

13           281.07 Rules; Facilities Program, ~~Florida Capitol~~  
 14 ~~Police~~; traffic regulation.--

15           (1) The Department of Management Services shall adopt  
 16 and promulgate rules to govern the administration, operation,  
 17 and management of the Facilities Program, ~~Florida Capitol~~  
 18 ~~Police~~, and to regulate traffic and parking on state-owned or  
 19 state-leased property, including the Capitol Complex, which  
 20 rules are not in conflict with any state law or county or  
 21 municipal ordinance, and to carry out the provisions of ss.  
 22 281.02-281.08.

23           (2) Political subdivisions and municipalities may  
 24 enact and enforce ordinances on the violation of traffic and  
 25 parking rules provided in subsection (1).

26           Section 10. Section 281.08, Florida Statutes, is  
 27 amended to read:

28           281.08 Equipment.--

29           ~~(1)~~ The Department of Management Services, ~~Florida~~  
 30 ~~Capitol Police~~, is specifically authorized to purchase, sell,  
 31 trade, rent, lease, and maintain all necessary equipment,

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1 ~~uniforms, motor vehicles, communication systems, housing~~  
2 ~~facilities, and office space, and perform any other acts~~  
3 ~~necessary for the proper administration and enforcement of ss.~~  
4 ~~281.02-281.08, pursuant to part I of chapter 287. The~~  
5 ~~department may prescribe a distinctive uniform to be worn by~~  
6 ~~personnel of the Florida Capitol Police in the performance of~~  
7 ~~their duties pursuant to s. 281.02(7). The department may~~  
8 ~~prescribe a distinctive emblem to be worn by all officers or~~  
9 ~~guards of the Florida Capitol Police.~~

10 ~~(2) It is unlawful for any unauthorized person to wear~~  
11 ~~a uniform or emblem prescribed by the department for the~~  
12 ~~Florida Capitol Police, or a similar uniform or emblem, or to~~  
13 ~~impersonate, pretend, or represent himself or herself to be a~~  
14 ~~police officer or guard of the Florida Capitol Police. Any~~  
15 ~~person who violates the provisions of this subsection is~~  
16 ~~guilty of a misdemeanor of the first degree, punishable as~~  
17 ~~provided in s. 775.082 or s. 775.083.~~

18 Section 11. Section 943.60, Florida Statutes, is  
19 created to read:

20 943.60 Definitions.--For the purposes of ss.  
21 943.60-943.68, the term "Capitol Complex" includes that  
22 portion of Tallahassee, Leon County, Florida, commonly  
23 referred to as the Capitol, the Historic Capitol, the Senate  
24 Office Building, the House Office Building, the Knott  
25 Building, the Pepper Building, the Holland Building, and the  
26 curtilage of each, including the state-owned lands and public  
27 streets adjacent thereto within an area bounded by and  
28 including Monroe Street, Jefferson Street, Duval Street, and  
29 Gaines Street. The term shall also include the State Capital  
30 Circle Office Complex located in Leon County, Florida.

31 Section 12. Section 943.601, Florida Statutes, is

1 created to read:

2 943.601 Preservation of legislative powers.--Except as  
3 may be agreed to by the presiding officers of both houses of  
4 the Legislature, nothing in this chapter shall limit or  
5 otherwise interfere with the rights and powers of the Senate  
6 or the House of Representatives, or the officers of either, to  
7 direct or command members or committees of the Legislature or  
8 legislative employees to attend any meeting or enter any area  
9 of the Capitol Complex for a legislative purpose, and the  
10 Capitol Police may, as provided by the security plans  
11 developed and approved under s. 943.61(1), and upon request of  
12 the presiding officer of either house of the Legislature,  
13 ensure the ability of any member of the house presided over by  
14 such presiding officer to attend to such legislative business  
15 without wrongful interference from any person or government  
16 entity.

17 Section 13. Section 943.61, Florida Statutes, is  
18 created to read:

19 943.61 Powers and duties of the Capitol Police.--There  
20 is created the Capitol Police within the Department of Law  
21 Enforcement, to serve the safety and security needs of both  
22 the legislative and executive branches of state government.  
23 It shall be the primary responsibility of the Capitol Police  
24 to ensure the continuing operation of the government of the  
25 State of Florida by protecting the security of the Governor,  
26 the Lieutenant Governor, the members of the Cabinet, and the  
27 members of the Senate and of the House of Representatives, and  
28 those employees assigned to assist such state officials in the  
29 performance of their official duties, and by ensuring their  
30 access to buildings and premises within the Capitol Complex.  
31 The Capitol Police shall also provide security and protection



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1 for other state officials, employees, and visitors to the  
2 Capitol Complex and shall maintain a reasonable degree of  
3 safety and security within the Capitol Complex while ensuring  
4 reasonable access to buildings and premises within the Capitol  
5 Complex by state officials, employees, and visitors.  
6 Notwithstanding the provisions of chapter 216, no assets,  
7 personnel, or resources shall be taken from the Capital  
8 Police, and no appropriation to the Capitol Police shall be  
9 reduced without the express approval of the Governor and the  
10 Legislative Budget Commission. Nothing herein limits the  
11 ability of the Capitol Police to provide mutual aid to other  
12 law enforcement agencies as authorized by law unless such a  
13 limitation is expressly included in the operational security  
14 plans provided for herein. The Capitol Police shall have the  
15 following powers and duties:  
16 (1) To develop, in consultation with the Governor,  
17 Cabinet officers, the President of the Senate, and the Speaker  
18 of the House of Representatives, written operational plans for  
19 basic and enhanced security measures and actions related to  
20 the Capitol Complex. Such plans and any changes or amendments  
21 thereto shall not be implemented unless presented in writing  
22 in final form to the Governor, the President of the Senate,  
23 and the Speaker of the House of Representatives and all three  
24 grant their approval in writing. The approval of any officer  
25 required herein shall expire 60 days after such officer  
26 vacates his or her office, and the written approval of the  
27 successor in office must be obtained prior to the continuation  
28 of operations under such plans. Upon the request of the  
29 Governor, a Cabinet officer, the President of the Senate, or  
30 the Speaker of the House of Representatives, the Capitol  
31 Police shall activate previously approved enhanced security

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1 measures and actions in accordance with the approved  
2 operational plans specific to the requesting officer's  
3 responsibilities and to the facilities occupied by such  
4 officer and employees responsible to such officer. Upon an  
5 emergency threatening the immediate safety and security of  
6 occupants of the Capitol Complex, so declared by the Governor,  
7 plans not approved as required by this subsection may be  
8 implemented for a period not to exceed 15 days, provided such  
9 plans do not substantially interfere with the ability of the  
10 Senate and the House of Representatives to assemble for any  
11 constitutional purpose. The Capitol Police shall also ensure  
12 that adequate signs and personnel are in place to inform and  
13 assist the occupants of and visitors to buildings within the  
14 Capitol Complex.

15 (2) To provide and maintain the security of all  
16 property located in the Capitol Complex in a manner consistent  
17 with the security plans developed and approved under  
18 subsection (1) and, in consultation with the State Fire  
19 Marshal, to provide for evacuations, information, and training  
20 required for firesafety on such property in a manner  
21 consistent with s. 633.085.

22 (3) To develop plans for reporting incidents involving  
23 buildings and property within the Capitol Complex, emergency  
24 procedures and evacuation routes in the event of fire,  
25 security threats, incidents prompting a need for evacuation,  
26 acts of terrorism, or natural or manmade disaster and to make  
27 such procedures and routes known to those persons occupying  
28 such buildings.

29 (4) To employ:

30 (a) Officers who:

31 1. Hold certification as law enforcement officers in

1 accordance with the minimum standards and qualifications as  
2 set forth in s. 943.13 and the provisions of chapter 110; and

3 2. Have the authority to bear arms, make arrests,  
4 except as may be limited in the security plans established  
5 under subsection (1), and apply for arrest warrants; and

6 (b) Guards and administrative, clerical, technical,  
7 and other personnel as may be required.

8 (5) To train all officers and other employees in fire  
9 prevention, firesafety, emergency medical procedures, and  
10 preventing and responding to acts of terrorism.

11 (6) To respond to all complaints relating to criminal  
12 activity or security threats within the Capitol Complex, or  
13 against the Governor, the Lieutenant Governor, a member of the  
14 Cabinet, a member of the Senate or of the House of  
15 Representatives, or an employee assisting such official.

16 (7) As provided by the security plans developed and  
17 approved under subsection (1), upon request of the presiding  
18 officer of either house of the Legislature, the director may  
19 assign one or more officers for the protection of a member of  
20 the house served by such presiding officer.

21 (8) Per diem and subsistence allowance for department  
22 employees traveling with a member of the Legislature away from  
23 Tallahassee shall be computed by payment of a sum up to the  
24 amounts permitted in s. 112.061 for meals, plus actual  
25 expenses for lodging to be substantiated by paid bills  
26 therefor.

27 (9) To enforce rules of the Department of Management  
28 Services governing the regulation of traffic and parking  
29 within the Capitol Complex and to impound illegally or  
30 wrongfully parked vehicles.

31 (10) To establish policies for the organizational

1 structure, principles of command, and internal operations of  
2 the Capitol Police, provided that such policies are not  
3 inconsistent with the provisions of ss. 943.61-943.68 or the  
4 security plans developed and approved under subsection (1).

5 (11) No employee of the Capitol Police shall be  
6 permitted in either legislative chamber without the specific  
7 permission of the presiding officer of that house of the  
8 Legislature, but may enter in the case of an emergency when  
9 the presiding officer is not able or available to consent.

10 (12) Officers of the Capitol Police may make lawful  
11 arrests, consistent with the purposes, responsibilities, and  
12 limitations set forth in ss. 943.60-943.68. However, except  
13 with the prior approval of the appropriate presiding officer,  
14 officers of the Capitol Police shall have no power to prevent  
15 the convening or continuation of any meeting of the  
16 Legislature, legislative committees, or staff, nor shall they  
17 have the power to interfere with the legislative duties or  
18 prerogatives of a member of the Legislature, or to interfere  
19 with the constitutional duties or prerogatives of the Governor  
20 or a member of the Cabinet, except as may be necessary to  
21 protect the health and safety of any person from a clear and  
22 present danger, or as may be otherwise provided in the  
23 security plans developed and approved for fire prevention,  
24 firesafety, and emergency medical procedures under subsection  
25 (1).

26  
27 It is the intent of the Legislature that the Capitol Police  
28 serve as a specially trained and highly effective security and  
29 law enforcement agency serving the Capitol Complex. The  
30 primary responsibility of the Capitol Police shall be to  
31 ensure the ability of state government officials to continue

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1 the operation of essential state governmental duties by  
2 providing for the security and protection of state officials,  
3 employees, and visitors within the Capitol Complex. The  
4 provision of other law enforcement services and protection of  
5 property shall be secondary responsibilities.

6 Section 14. Section 943.611, Florida Statutes, is  
7 created to read:

8 943.611 Director of Capitol Police.--

9 (1) The executive director of the Department of Law  
10 Enforcement shall nominate, no later than 7 days prior to each  
11 organization session of the Legislature, an individual to  
12 serve as the director of the Capitol Police, who shall serve  
13 at the pleasure of the executive director of the Department of  
14 Law Enforcement.

15 (2) Unless discharged by the executive director of the  
16 Department of Law Enforcement, the director shall serve until:

17 (a) A successor has been nominated; or

18 (b) The director has been nominated for reappointment  
19 and the time for obtaining reapproval has expired.

20 (3) In the event that a nominee is not approved or the  
21 director is discharged by the executive director of the  
22 department, or the position is otherwise vacant, a successor  
23 shall be nominated and approved as provided in subsection (4).  
24 No person who has previously been nominated and who failed to  
25 obtain approval shall be nominated to serve as the successor.

26 (4) Each person nominated pursuant to either  
27 subsection (1) or subsection (3) must be approved no later  
28 than 30 days after the adjournment sine die of the next  
29 regular, special, or organization session of the Legislature,  
30 by the Governor and by both the House of Representatives and  
31 the Senate, as provided in the rules of the respective house.

1           (5) A nominee shall serve as the acting director until  
2 the time for obtaining approval has expired.

3           Section 15. Section 943.62, Florida Statutes, is  
4 created to read:

5           943.62 Investigations by the Capitol Police.--

6           (1) The Capitol Police shall conduct traffic accident  
7 investigations and investigations relating to felonies and  
8 misdemeanors occurring within the Capitol Complex. Any matters  
9 may be referred to the department's special agents or  
10 inspectors or another appropriate law enforcement agency for  
11 further investigation. Such referrals shall include  
12 transmittal of records, reports, statements, and all other  
13 information relating to such matters.

14           (2) The Capitol Police shall retain copies of all  
15 reports relating to such criminal activity for use in the  
16 ongoing firesafety and security plan as required in s. 943.61.

17           Section 16. Section 943.63, Florida Statutes, is  
18 created to read:

19           943.63 Detention or arrest by the Capitol Police.--A  
20 person detained or arrested by an officer of the Capitol  
21 Police shall be delivered to the sheriff of the county in  
22 which the detention or arrest takes place unless a notice to  
23 appear is issued.

24           Section 17. Section 943.64, Florida Statutes, is  
25 created to read:

26           943.64 Ex officio agents.--Law enforcement officers of  
27 the Department of Highway Safety and Motor Vehicles, special  
28 agents or inspectors of the Department of Law Enforcement, and  
29 law enforcement officers of other state agencies, counties,  
30 and municipalities are ex officio agents of the Capitol  
31 Police, and may, when authorized by the Capitol Police,

1 enforce rules and laws applicable to the powers and duties of  
2 the Capitol Police to provide and maintain the security  
3 required by ss. 943.61-943.68.

4 Section 18. Section 943.66, Florida Statutes, is  
5 created to read:

6 943.66 Rules; Facilities Program, Capitol Police;  
7 traffic regulation.--The Capitol Police may enforce rules of  
8 the Department of Management Services governing the  
9 administration, operation, and management of the Facilities  
10 Program and regulating traffic and parking on state-owned or  
11 state-leased buildings or property and any local ordinance on  
12 the violation of such if such rules are not in conflict with  
13 any state law or county or municipal ordinance, and are not  
14 inconsistent with the other requirements of ss. 943.61-943.68  
15 or any security plan developed and approved thereunder.

16 Section 19. Section 943.67, Florida Statutes, is  
17 created to read:

18 943.67 Equipment.--The department is specifically  
19 authorized to purchase, sell, trade, rent, lease, and maintain  
20 all necessary equipment, uniforms, motor vehicles,  
21 communication systems, housing facilities, and office space,  
22 and perform any other acts necessary for the proper  
23 administration and enforcement of ss. 943.61-943.68 through  
24 the Capitol Police, pursuant to part I of chapter 287. The  
25 department may prescribe a distinctive uniform to be worn by  
26 personnel of the Capitol Police in the performance of their  
27 duties pursuant to s. 943.61. The department may prescribe a  
28 distinctive emblem to be worn by all officers or guards of the  
29 Capitol Police.

30 Section 20. Section 281.20, Florida Statutes, is  
31 renumbered as section 943.68, Florida Statutes, and amended to

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1 read:

2 943.68 ~~281.20~~ Transportation and protective  
3 services.--

4 (1) The department ~~of Law Enforcement~~ shall provide  
5 and maintain the security of the Governor, the Governor's  
6 immediate family, and the Governor's office and mansion and  
7 the grounds thereof.

8 (2) The department shall employ such personnel as may  
9 be necessary to carry out this responsibility, including  
10 uniformed and nonuniformed officers or agents who shall have  
11 authority to bear arms and make arrests, with or without  
12 warrant, for violations of any of the criminal laws of the  
13 state, under the same terms and conditions as investigative  
14 personnel of the department, and who shall be considered peace  
15 officers for all purposes, including, but not limited to, the  
16 privileges, protections, and benefits of ss. 112.19, 121.051,  
17 122.34, and 870.05.

18 (3) The executive director shall assign agents for the  
19 performance of the duties prescribed in this section. The  
20 assignment of such agents shall be subject to continuing  
21 approval of the Governor. Upon request of the Governor, the  
22 executive director shall reassign an agent from continued  
23 performance of such duties.

24 (4) Per diem and subsistence allowance for security  
25 personnel traveling with the Governor, ~~or~~ the Governor's  
26 family, or others as authorized by this section away from  
27 Tallahassee shall be computed by payment of a sum up to the  
28 amounts permitted in s. 112.061~~(6)(d)~~for meals, plus actual  
29 expenses for lodging to be substantiated by paid bills  
30 therefor.

31 (5) The department is authorized to provide security



1 or transportation to visiting governors and their families  
2 upon request by the Governor.

3 (6) The department shall provide security or  
4 transportation services to other persons when requested by the  
5 Governor, the Lieutenant Governor, a member of the Cabinet,  
6 the Speaker of the House of Representatives, the President of  
7 the Senate, or the Chief Justice of the Supreme Court, subject  
8 to certification by the agency head that such services are in  
9 the best interest of the state. The agency head may delegate  
10 certification authority to the executive director of the  
11 department. The agency head shall limit such services to  
12 persons:

13 (a) Who are visiting the state; for whom such services  
14 are requested by the Governor, the Lieutenant Governor, a  
15 member of the Cabinet, the Speaker of the House of  
16 Representatives, the President of the Senate, or the Chief  
17 Justice of the Supreme Court; and for whom the primary purpose  
18 of the visit is for a public purpose and to promote the  
19 development of the state; or

20 (b) For whom the failure to provide security or  
21 transportation could result in a clear and present danger to  
22 the personal safety of such persons or could result in public  
23 embarrassment to the state.

24 (7) The department is authorized to coordinate  
25 transportation and protective services provided under  
26 subsections (1), (5), and (6) with other law enforcement  
27 agencies and may request the assistance of other law  
28 enforcement agencies to carry out the duties required by  
29 subsections (1), (5), and (6). The other law enforcement  
30 agencies of the state are authorized to provide such  
31 assistance as may be requested by the department under this

1 subsection.

2 (8) The department shall coordinate all protective  
3 services with the United States Department of State and the  
4 United States Secret Service when requested to do so by such  
5 agencies or by the Governor or a member of the Cabinet.

6 (9) The department shall submit reports on July 15 and  
7 January 15 of each year to the President of the Senate,  
8 Speaker of the House of Representatives, Governor, and members  
9 of the Cabinet, detailing all transportation and protective  
10 services provided under subsections (1), (5), and (6) within  
11 the preceding 6 months. Each report shall include a detailed  
12 accounting of the cost of such transportation and protective  
13 services, including the names of persons provided such  
14 services and the nature of state business performed.

15 Section 21. Paragraph (c) of subsection (2) of section  
16 287.17, Florida Statutes, is amended to read:

17 287.17 Limitation on use of motor vehicles and  
18 aircraft.--

19 (2) The following criteria shall be considered in  
20 determining appropriate uses of motor vehicles and aircraft:

21 (c) Whether the Department of Law Enforcement has been  
22 directed by the agency head to provide security or  
23 transportation pursuant to s. 943.68 ~~281.20~~.

24 Section 22. Paragraph (g) of subsection (2) of section  
25 288.816, Florida Statutes, is amended to read:

26 288.816 Intergovernmental relations.--

27 (2) The secretary shall be responsible for all  
28 consular relations between the state and all foreign  
29 governments doing business in Florida. The secretary shall  
30 monitor United States laws and directives to ensure that all  
31 federal treaties regarding foreign privileges and immunities

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1 are properly observed. The secretary shall promulgate rules  
2 which shall:

3 (g) Request the Department of Law Enforcement to  
4 provide transportation and protection services when necessary  
5 pursuant to s. 943.68 ~~281.20~~.

6 Section 23. The Office of Legislative Services shall  
7 contract with a qualified outside vendor for a security  
8 inventory of facilities and personnel. The security inventory  
9 shall include information with respect to:

10 (1) A listing of security options available.

11 (2) A listing of the proposed most efficient,  
12 cost-effective methods of providing security.

13 (3) Any other items with respect to security that the  
14 Legislature should consider.

15 Section 24. Except as otherwise provided herein, this  
16 act shall take effect upon becoming a law.

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19 ===== T I T L E A M E N D M E N T =====

20 And the title is amended as follows:

21 remove: the entire title

22

23 and insert:

24 A bill to be entitled  
25 An act relating to security of public  
26 buildings; amending s. 20.201, F.S.; creating  
27 the Capitol Police within the Department of Law  
28 Enforcement; transferring the powers, duties,  
29 and functions of the Division of Capitol Police  
30 relating to security within the Capitol Complex  
31 from the Department of Management Services to

1 the Department of Law Enforcement; creating s.  
2 281.01, F.S.; defining the Capitol Complex;  
3 amending s. 281.02, F.S.; providing for powers  
4 and duties of the Department of Management  
5 Services with regard to firesafety and security  
6 responsibilities; amending s. 281.03, F.S.;  
7 providing for collection and retention of  
8 certain reports by the Department of Management  
9 Services; repealing s. 281.04, F.S., relating  
10 to arrest procedures of the Florida Capitol  
11 Police; repealing s. 281.05, F.S., relating to  
12 ex officio agents of the Florida Capitol  
13 Police; amending s. 281.06, F.S.; allowing  
14 contracts with the Department of Law  
15 Enforcement; authorizing the Department of  
16 Management Services to contract with counties,  
17 municipalities, or private security agencies to  
18 maintain the security of certain public  
19 premises; amending s. 281.07, F.S.; providing  
20 for adoption of parking regulations of the  
21 Department of Management Services; amending s.  
22 281.08, F.S.; providing for the procurement of  
23 equipment by the Department of Management  
24 Services; creating s. 943.60, F.S., to define  
25 the Capitol Complex; creating s. 943.601, F.S.;  
26 providing for the preservation of legislative  
27 powers; limiting the authority of the  
28 Department of Law Enforcement to impede such  
29 powers; providing a duty of the Capitol Police  
30 to ensure such legislative powers as requested  
31 by a presiding officer of the Legislature;

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1           creating s. 943.61, F.S.; creating and  
2           providing for the powers, duties, and functions  
3           of the Capitol Police; providing that the  
4           Capitol Police shall serve the needs of both  
5           the legislative and executive branches of state  
6           government; prohibiting the taking of resources  
7           of, or the decreasing of appropriations to, the  
8           Capitol Police without the approval of the  
9           Governor and the Legislative Budget Commission;  
10          requiring the development and approval of  
11          security plans; requiring consultation with the  
12          Governor, members of the Cabinet, and the  
13          presiding officers of the Legislature in the  
14          development of such plans; requiring biennial  
15          approval of such plans; authorizing the  
16          implementation of unapproved plans in times of  
17          emergency; establishing other powers and duties  
18          of the Capitol Police; establishing standards  
19          for officers of the Capitol Police; limiting  
20          authority of the Capitol Police with respect to  
21          certain legislative personnel and facilities;  
22          creating s. 943.611, F.S.; providing for the  
23          nomination and approval of the director of the  
24          Capitol Police; providing that the director  
25          serves at the pleasure of the executive  
26          director of the Department of Law Enforcement;  
27          requiring periodic reappointment and approval  
28          of the director; creating s. 943.62, F.S.;  
29          providing for investigations by the Capitol  
30          Police; creating s. 943.63, F.S.; providing  
31          that persons arrested or detained by the

1 Capitol Police shall be delivered to the  
2 sheriff; creating s. 943.64, F.S.; providing  
3 that certain law enforcement officers may serve  
4 as ex officio agents of the Capitol Police;  
5 creating s. 943.66, F.S.; authorizing the  
6 Capitol Police to enforce certain rules of the  
7 Department of Management Services; creating s.  
8 943.67, F.S.; providing for the procurement of  
9 equipment by the Department of Law Enforcement;  
10 renumbering and amending s. 281.20, F.S.,  
11 relating to the security of the Governor and  
12 other specified persons; amending ss. 287.17  
13 and 288.816, F.S.; correcting cross references,  
14 to conform; providing for a security inventory;  
15 providing effective dates.

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