

Bill No. CS for CS for SB 190

Barcode 402364

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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The Committee on Justice Appropriations (Smith) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Section 311.111, Florida Statutes, is created to read:

311.111 Security area designations; access requirements; authority.--Each seaport authority or governing board of a seaport identified in s. 311.09 that is subject to the statewide minimum seaport security standards in s. 311.12 shall clearly designate in seaport security plans and clearly identify with appropriate signs and markers on the premises of a seaport the following security area designations, access requirements, and corresponding security enforcement authorizations, which may include, but not be limited to, clear notice of the prohibition on possession of concealed weapons and other contraband material on the premises of the seaport:

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1 (1) UNRESTRICTED PUBLIC ACCESS AREA.--An unrestricted
2 public access area of a seaport is open to the general public
3 without a seaport identification card other than that required
4 as a condition of employment by a seaport director.

5 (2) RESTRICTED PUBLIC ACCESS AREA.--A restricted
6 public access area of a seaport is open to the public for a
7 specific purpose via restricted access and open to individuals
8 working on the seaport, seaport employees, or guests who have
9 business with the seaport. Any person found in these areas
10 without the proper level of identification card is subject to
11 the trespass provisions of ss. 810.08 and 810.09 and this
12 chapter. All persons and objects in these areas are subject to
13 search by a sworn state-certified law enforcement officer, a
14 Class D seaport security officer certified under Maritime
15 Transportation Security Act guidelines and s. 311.121, or an
16 employee of the seaport security force certified under the
17 Maritime Transportation Security Act guidelines and s.
18 311.121.

19 (3) RESTRICTED ACCESS AREA.--A restricted access area
20 of a seaport is open only to individuals working on the
21 seaport, seaport employees, or guests who have business with
22 the seaport. Any person found in these areas without the
23 proper level of identification card is subject to the trespass
24 provisions of ss. 810.08 and 810.09 and this chapter. All
25 persons and objects in these areas are subject to search by a
26 sworn state-certified law enforcement officer, a Class D
27 seaport security officer certified under Maritime
28 Transportation Security Act guidelines and s. 311.121, or an
29 employee of the seaport security force certified under the
30 Maritime Transportation Security Act guidelines and s.
31 311.121.

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1 (4) SECURED RESTRICTED ACCESS AREA.--A secured
2 restricted access area of a seaport is open only to
3 individuals working on the seaport, seaport employees, or
4 guests who have business with the seaport and is secured at
5 each point of access at all times by a Class D seaport
6 security officer certified under the Maritime Transportation
7 Security Act, a sworn state-certified law enforcement officer,
8 or an employee of the port's security force certified under
9 the Maritime Transportation Security Act. Any person found in
10 these areas without the proper level of identification card is
11 subject to the trespass provisions of ss. 810.08 and 810.09
12 and this chapter. All persons and objects in these areas are
13 subject to search by a Class D seaport security officer
14 certified under Maritime Transportation Security Act
15 guidelines and s. 311.121, a sworn state-certified law
16 enforcement officer, or an employee of the seaport security
17 force certified under the Maritime Transportation Security Act
18 guidelines and s. 311.121.

19 (5) TEMPORARY DESIGNATION.--During a period of high
20 terrorist threat level designated by the United States
21 Department of Homeland Security or the Florida Department of
22 Law Enforcement or during an emergency declared at a port by
23 the seaport security director due to events applicable to that
24 particular port, the management or controlling authority of
25 the port may temporarily designate any part of the port
26 property as a restricted access area or a secured restricted
27 access area. The duration of such designation is limited to
28 the period in which the high terrorist threat level is in
29 effect or a port emergency exists. Subsections (3) and (4) do
30 not limit the power of the managing or controlling authority
31 of a seaport to designate any port property as a restricted

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1 access area or a secured restricted access area as otherwise
 2 provided by law.

3 Section 2. Subsection (2) and paragraph (b) of
 4 subsection (4) of section 311.12, Florida Statutes, are
 5 amended, paragraph (e) is added to subsection (3), and
 6 subsections (7) and (8) are added to that section, to read:

7 311.12 Seaport security standards; inspections;
 8 compliance; appeals.--

9 (2)(a) Each seaport identified in s. 311.09 shall
 10 maintain a security plan to provide for a secure seaport
 11 infrastructure specific to that seaport that shall promote the
 12 safety and security of the residents and visitors of the state
 13 and promote the flow of legitimate trade and travel.

14 Commencing January 1, 2007, and every 5 years thereafter, the
 15 seaport director of each seaport, with the assistance of the
 16 Regional Domestic Security Task Force and in conjunction with
 17 the United States Coast Guard, shall revise the seaport
 18 security plan based on the results of continual, quarterly
 19 assessments by the seaport director of security risks and
 20 possible risks related to terrorist activities and relating to
 21 the specific and identifiable needs of the seaport which
 22 assures that the seaport is in substantial compliance with the
 23 statewide minimum standards established pursuant to subsection
 24 (1).

25 (b) Each plan adopted or revised pursuant to this
 26 subsection shall be inspected for compliance and must be
 27 reviewed and approved by the Office of Drug Control and the
 28 Department of Law Enforcement based solely upon the standards
 29 as set forth under the most current Maritime Transportation
 30 Security Act, 33 C.F.R. s. 105.305, and the statewide minimum
 31 standards established pursuant to subsection (1). All such

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1 seaports shall allow unimpeded access by the Department of Law
2 Enforcement to the affected facilities for purposes of plan or
3 compliance inspections or other operations authorized by this
4 section.

5 (c) Each seaport security plan shall ~~may~~ establish
6 unrestricted and restricted access areas within the seaport
7 consistent with the requirements of the statewide minimum
8 standards and the provisions of s. 311.111. In such cases, a
9 Uniform Port Access Credential Card, authorizing
10 restricted-area access, shall be required for any individual
11 working within or authorized to regularly enter a restricted
12 access area and the requirements in subsection (3) relating to
13 criminal history checks and employment restrictions shall be
14 applicable only to employees or other persons working within
15 or authorized to regularly enter a restricted access area.
16 Every seaport security plan shall set forth the conditions and
17 restrictions to be imposed upon others visiting the port or
18 any restricted access area sufficient to provide substantial
19 compliance with the statewide minimum standards. As determined
20 by the seaport director's most current risk assessment report,
21 any restricted access area with a potential human occupancy of
22 50 persons or more, any cruise terminal, or any business
23 operation that is adjacent to an unrestricted public access
24 area shall be protected from the most probable and creditable
25 terrorist threat to human life by the use of the methods and
26 principles contained within Federal Emergency Management
27 Agency, Risk Management Series, "Reference Manual to Mitigate
28 Potential Terrorist Attacks Against Buildings" (FEMA 426) and
29 the Federal Emergency Management Agency, Risk Management
30 Series, "Risk Assessment: A How-To Guide to Mitigate Potential
31 Terrorist Attacks Against Buildings" (FEMA 452).

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1 (d) Within 30 days after the completion of the
 2 seaport's security plan inspection by the Department of Law
 3 Enforcement, it shall be delivered to the United States Coast
 4 Guard, the Regional Domestic Security Task Force, and the
 5 Domestic Security Oversight Council.

6 (e) It is the intent of the Legislature that Florida's
 7 seaports adhere to security practices that are consistent with
 8 risks assigned to each seaport through the risk assessment
 9 process established in this subsection. Therefore, the
 10 Department of Law Enforcement shall inspect every seaport
 11 within the state to determine if all security measures adopted
 12 by the seaport are in compliance with the standards set forth
 13 in this chapter and shall submit the department's findings
 14 within 30 days after the inspection in a report to the
 15 Domestic Security Oversight Council and the United States
 16 Coast Guard for review, with requests to the Coast Guard for
 17 any necessary corrective action.

18 (f) A seaport may request review by the Domestic
 19 Security Oversight Council of the findings in any Department
 20 of Law Enforcement inspection report as they relate to the
 21 requirements of this section. The Domestic Security Oversight
 22 Council may review only those findings under this section that
 23 are in specific dispute by the seaport. In reviewing the
 24 disputed findings, the council may concur in the findings of
 25 the department or the seaport or may recommend corrective
 26 action to the seaport. The department and the seaport shall
 27 give great weight to any findings and recommendations of the
 28 council.

29 (3)

30 (e) The Department of Law Enforcement shall establish
 31 by rule a waiver process to allow unescorted access to an

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1 individual who is found to be unqualified under paragraph (c)
2 and denied employment by a seaport. The waiver consideration
3 shall be based on the circumstances of any disqualifying act
4 or offense, restitution made by the individual, and other
5 factors from which it may be determined that the individual
6 does not pose a risk of engaging in theft, drug trafficking,
7 or terrorism within the public seaports regulated under this
8 chapter or of harming any person. The waiver process shall
9 begin when an individual who has been denied initial
10 employment within or regular unescorted access to restricted
11 areas of a public seaport as described in paragraph (c)
12 submits an application for a waiver and notarized letter or
13 affidavit from the individual's employer or union
14 representative which states the mitigating reasons for
15 initiating the waiver process. No later than 90 days after
16 receipt of the application, the administrative staff of the
17 Parole Commission shall conduct a factual review of the waiver
18 application. Findings of fact shall be transmitted to the
19 Department of Law Enforcement for review. The department shall
20 make a copy of those findings available to the applicant
21 before final disposition of the waiver request. The department
22 shall make a final disposition of the waiver request based on
23 the factual findings of the investigation by the Parole
24 Commission. The department shall notify the waiver applicant
25 and the port authority that originally denied employment to
26 the applicant of the final disposition of the waiver.

(4)

28 (b) The Office of Drug Control and the executive
29 director of the Department of Law Enforcement may modify or
30 waive any physical facility requirement or other requirement
31 contained in the statewide minimum standards for seaport

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1 security upon a finding or other determination that the
2 purposes of the standards have been reasonably met or exceeded
3 by the seaport requesting the modification or waiver.
4 Alternate means of compliance may not in any way diminish the
5 safety or security of the seaport and shall be verified
6 through an extensive risk analysis conducted by the port
7 director. Waivers shall be submitted in writing with
8 supporting documentation to the Office of Drug Control and the
9 Department of Law Enforcement. The Office of Drug Control and
10 the Department of Law Enforcement shall have 90 days to
11 jointly grant the waiver or reject the waiver in whole or in
12 part. Waivers not granted within 90 days or jointly rejected
13 shall be submitted by the seaport to the Domestic Security
14 Oversight Council for review. The Domestic Security Oversight
15 Council shall recommend that the Office of Drug Control and
16 the Department of Law Enforcement grant the waiver or reject
17 the waiver in whole or in part. The Office of Drug Control and
18 the Department of Law Enforcement shall give great weight to
19 any recommendations of the Domestic Security Oversight
20 Council. Waivers submitted for standards established under s.
21 311.122(3) shall not be granted for percentages below 10
22 percent. Such modifications or waivers shall be noted in the
23 annual report submitted by the Department of Law Enforcement
24 pursuant to this subsection.

25 (7) Any person who has in his or her possession a
26 concealed weapon, or who operates or has possession or control
27 of a vehicle in or upon which a concealed weapon is placed or
28 stored, while in a designated restricted area on seaport
29 property commits a misdemeanor of the first degree, punishable
30 as provided in s. 775.082 or s. 775.083. This subsection does
31 not apply to active-duty certified federal or state law

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1 enforcement personnel, or persons so designated by the seaport
2 director in writing.

3 (8)(a) The Seaport Security Standards Advisory Council
4 is created under the Office of Drug Control. The council shall
5 serve as an advisory council under s. 20.03(7).

6 (b)1. The members of the Seaport Security Standards
7 Advisory Council shall be appointed by the Governor and
8 consist of the following:

9 a. Two seaport directors.

10 b. Two seaport security directors.

11 c. One designee from the Department of Law
12 Enforcement.

13 d. One designee from the Office of Motor Carrier
14 Compliance of the Department of Transportation.

15 e. One designee from the Attorney General's Office.

16 f. One designee from the Department of Agriculture and
17 Consumer Services.

18 g. One designee from the Office of Tourism, Trade, and
19 Economic Development.

20 h. One designee from the Office of Drug Control.

21 2. In addition to the members designated in
22 subparagraph 1., the council may invite a representative of
23 the United States Coast Guard to attend and participate in
24 council meetings as an ex officio, nonvoting member of the
25 council.

26 (c) Members of the council shall serve for terms of 4
27 years. A vacancy shall be filled by the original appointing
28 authority for the balance of the unexpired term.

29 (d) The Seaport Security Standards Advisory Council
30 shall be chaired by a designee from the Office of Drug
31 Control. The council shall meet upon the call of the chair and

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1 at least once every 5 years.

2 (e) Commencing on January 15, 2007, and at least every
 3 4 years thereafter, the Office of Drug Control shall convene
 4 the Seaport Security Standards Advisory Council to review the
 5 statewide minimum standards. The Seaport Security Standards
 6 Advisory Council shall review the statewide minimum standards
 7 for seaport security for applicability to and effectiveness in
 8 combating current narcotics and terrorism threats to Florida's
 9 seaports. All sources of information allowed by law shall be
 10 utilized in assessing the applicability and effectiveness of
 11 the standards.

12 (f) Seaport Security Standards Advisory Council
 13 members shall serve without pay; however, per diem and travel
 14 allowances may be claimed for attendance of officially called
 15 meetings as provided by s. 112.061.

16 (g) The Seaport Security Standards Advisory Council
 17 shall consult with the appropriate area maritime security
 18 committees to assess possible impacts to commerce and trade
 19 contained in the council's non-classified recommendations and
 20 findings.

21 (h) Recommendations and findings of the council shall
 22 be transmitted to the Governor, the Speaker of the House of
 23 Representatives, and the President of the Senate.

24 Section 3. Section 311.121, Florida Statutes, is
 25 created to read:

26 311.121 Qualifications, training, and certification of
 27 licensed security officers at Florida seaports.--

28 (1) It is the intent of the Legislature that seaports
 29 in the state be able to mitigate operational security costs
 30 without reducing security levels by employing a combination of
 31 certified law enforcement officers and certified private

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1 security service officers. In order to accomplish this intent,
 2 seaports shall have the option to recruit and employ seaport
 3 security officers who are trained and certified pursuant to
 4 the provisions of this section. The Department of Law
 5 Enforcement shall adhere to this intent in the approval and
 6 certification process for seaport security required under s.
 7 311.12.

8 (2) The authority or governing board of each seaport
 9 identified under s. 311.09 that is subject to the statewide
 10 minimum seaport security standards established in s. 311.12
 11 shall require that a candidate for certification as a seaport
 12 security officer:

13 (a) Has received a Class D license as a security
 14 officer under chapter 493.

15 (b) Has successfully completed the certified training
 16 curriculum for a Class D license or has been determined by the
 17 Department of Agriculture and Consumer Services to have
 18 equivalent experience as established by rule of the
 19 department.

20 (c) Has completed the training or training equivalency
 21 and testing process established by this section for becoming a
 22 certified seaport security officer.

23 (3)(a) The Seaport Security Officer Qualification,
 24 Training, and Standards Coordinating Council is created under
 25 the Department of Law Enforcement.

26 (b)1. The executive director of the Department of Law
 27 Enforcement shall appoint 11 members to the council which
 28 shall include:

29 a. The seaport administrator of the Department of Law
 30 Enforcement.

31 b. The chancellor of the Community College System.

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1 c. The director of the Division of Licensing of the
2 Department of Agriculture and Consumer Services.

3 d. The administrator of the Florida Seaport
4 Transportation and Economic Development Council.

5 e. Two seaport security directors from seaports
6 designated under s. 311.09.

7 f. One director of a state law enforcement academy.

8 g. One representative of a local law enforcement
9 agency.

10 h. Two representatives of contract security services.

11 i. One representative of the Division of Driver
12 Licenses of the Department of Highway Safety and Motor
13 Vehicles.

14 2. In addition to the members designated in
15 subparagraph 1., the executive director may invite a
16 representative of the United States Coast Guard to attend and
17 participate in council meetings as an ex officio, nonvoting
18 member of the council.

19 (c) Council members designated in sub-subparagraphs
20 (b)1.a.-d. shall serve for the duration of their employment or
21 appointment. Council members designated under
22 sub-subparagraphs (b)1.e.-i. shall serve 4-year terms, except
23 that the initial appointment for the representative of a local
24 law enforcement agency, one representative of a contract
25 security agency, and one seaport security director from a
26 seaport designated in s. 311.09 shall serve for terms of 2
27 years.

28 (d) The chancellor of the Community College System
29 shall serve as chair of the council.

30 (e) The council shall meet upon the call of the chair,
31 and at least once a year to update or modify curriculum

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1 recommendations.

2 (f) Council members shall serve without pay; however,
3 per diem and travel allowances may be claimed for attendance
4 of officially called meetings as provided by s. 112.061.

5 (g) By December 1, 2006, the council shall identify
6 the qualifications, training, and standards for seaport
7 security officer certification and recommend a curriculum for
8 the seaport security officer training program that shall
9 include no less than 218 hours of initial certification
10 training and that conforms to or exceeds model courses
11 approved by the Federal Maritime Act under Section 109 of the
12 Federal Maritime Transportation Security Act of 2002 for
13 facility personnel with specific security duties.

14 (h) The council may recommend training equivalencies
15 that may be substituted for portions of the required training.

16 (i) The council shall recommend a continuing education
17 curriculum of no less than 8 hours of additional training for
18 each annual licensing period.

19 (4)(a) The Department of Education shall develop the
20 curriculum recommendations and classroom-hour specifications
21 of the Seaport Security Officer Qualifications, Training, and
22 Standards Coordinating Council into initial and continuing
23 education and training programs for seaport security officer
24 certification.

25 (b) Such training programs shall be used by schools
26 licensed under s. 493.6304, and each instructor providing
27 training must hold a Class D license pursuant to s. 493.6301.

28 (c) A seaport authority or other organization involved
29 in seaport-related activities may apply to become a school
30 licensed under s. 493.6304.

31 (d) The training programs shall include proficiency

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1 examinations that must be passed by each candidate for
 2 certification who successfully completes the required hours of
 3 training or provides proof of authorized training
 4 equivalencies.

5 (e) A candidate for certification must be provided
 6 with a list of authorized training equivalencies in advance of
 7 training; however, each candidate for certification must
 8 successfully complete 20 hours of study specific to Florida
 9 Maritime Security and pass the related portion of the
 10 proficiency examination.

11 (5) Seaport security officer certificates shall be
 12 provided by the Department of Agriculture and Consumer
 13 Services for issuance by a school licensed under s. 493.6304
 14 and such school may issue the certificate to an applicant who
 15 has successfully completed the training program. A school
 16 shall notify the Division of Licensing within the department
 17 upon the issuance of each certificate. The notification must
 18 include the name and Class D license number of the certificate
 19 holder and a copy of the certificate. The department shall
 20 place the notification with the licensee's file. Notification
 21 may be provided by electronic or paper format pursuant to
 22 instruction of the Department of Agriculture and Consumer
 23 Services.

24 (6)(a) Upon completion of the certification process, a
 25 person holding a Class D license must apply for a revised
 26 license pursuant to s. 493.6107(2), which license shall state
 27 that the licensee is certified as a seaport security officer.

28 (b) A person who has been issued a seaport security
 29 officer certificate is authorized to perform duties
 30 specifically required of a seaport security officer.

31 (c) The certificate is valid for the duration of the

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1 seaport security officer's Class D license and shall be
2 renewed upon renewal of the license.

3 (d) The certificate shall become void if the seaport
4 security officer's Class D license is revoked or allowed to
5 lapse for more than 1 year or if the licensee fails to
6 complete the annual continuing education requirement prior to
7 expiration of the Class D license.

8 (e) Renewal of certification following licensure
9 revocation or a lapse of longer than 1 year requires, at a
10 minimum, 20 hours of recertification training and
11 reexamination of the applicant.

12 Section 4. Section 311.122, Florida Statutes, is
13 created to read:

14 311.122 Seaport law enforcement agency; authorization;
15 requirements; powers; training.--

16 (1) Each seaport in the state is authorized to create
17 a seaport law enforcement agency for its facility, which
18 authority in no way precludes the seaport from contracting
19 with local governments or law enforcement agencies to comply
20 with the security standards required by this chapter.

21 (2) Each seaport law enforcement agency shall meet all
22 of the standards set by the state under certified law
23 enforcement guidelines and requirements and shall be certified
24 as provided under chapter 943.

25 (3) If a seaport creates a seaport law enforcement
26 agency for its facility, a minimum of 30 percent of the
27 aggregate personnel of each seaport law enforcement agency
28 shall be sworn state-certified law enforcement officers with
29 additional Maritime Transportation Security Act seaport
30 training; a minimum of 30 percent of on-duty personnel of each
31 seaport law enforcement agency shall be sworn state-certified

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1 law enforcement officers with additional Maritime
 2 Transportation Security Act seaport training; and at least one
 3 on-duty supervisor must be a sworn state-certified law
 4 enforcement officer with additional Maritime Transportation
 5 Security Act seaport training.

6 (4) For the purposes of this chapter, where
 7 applicable, seaport law enforcement agency officers shall have
 8 the same powers as university police officers as provided in
 9 s. 1012.97; however, such powers do not extend beyond the
 10 property of the seaport except in connection with an
 11 investigation initiated on seaport property or in connection
 12 with an immediate, imminent threat to the seaport.

13 (5) For the purposes of this chapter, sworn
 14 state-certified seaport security officers shall have the same
 15 law enforcement powers with respect to the enforcement of
 16 traffic laws on seaport property as university police officers
 17 under s. 1012.97, community college police officers under s.
 18 1012.88, and airport police officers under the provisions of
 19 s. 316.640(1)(a)1.d.(I)-(II).

20 (6) Certified seaport security officers shall have the
 21 authority to immediately tow any vehicle parked illegally as
 22 indicated by an existing sign or during an emergency as deemed
 23 necessary to maintain seaport security.

24 Section 5. Section 311.123, Florida Statutes, is
 25 created to read:

26 311.123 Maritime domain security awareness training
 27 program.--

28 (1) The Florida Seaport Transportation and Economic
 29 Development Council, in conjunction with the Department of Law
 30 Enforcement and the Office of Drug Control within the
 31 Executive Office of the Governor, shall create a maritime

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1 domain security awareness training program to instruct all
2 personnel employed within a seaport's boundaries about the
3 security procedures required of them for implementation of the
4 seaport security plan.

5 (2) The training program curriculum must include
6 security training required pursuant to 33 C.F.R. part 105 and
7 must be designed to enable the seaports in this state to meet
8 the training, drill, and exercise requirements of 33 C.F.R.
9 part 105 and individual seaport security plans and to comply
10 with the requirements of s. 311.12 relating to security
11 awareness.

12 Section 6. Section 311.124, Florida Statutes, is
13 created to read:

14 311.124 Trespassing; detention by a certified seaport
15 security officer.--

16 (1) Any Class D or Class G seaport security officer
17 certified under the Maritime Transportation Security Act
18 guidelines and s. 311.121 or any employee of the seaport
19 security force certified under the Maritime Transportation
20 Security Act guidelines and s. 311.121 who has probable cause
21 to believe that a person is trespassing pursuant to the
22 provisions of s. 810.08 or s. 810.09 or this chapter in a
23 designated restricted area pursuant to s. 311.111 is
24 authorized to detain such person in a reasonable manner for a
25 reasonable period of time pending the arrival of a law
26 enforcement officer, and such action shall not render the
27 security officer criminally or civilly liable for false
28 arrest, false imprisonment, or unlawful detention.

29 (2) Upon detaining a person for trespass, the seaport
30 security officer shall immediately call a certified law
31 enforcement officer to the scene.

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1 Section 7. Section 817.021, Florida Statutes, is
2 created to read:

3 817.021 False information to obtain a seaport security
4 identification card.--A person who willfully and knowingly
5 provides false information in obtaining or attempting to
6 obtain a seaport security identification card commits a felony
7 of the third degree, punishable as provided in s. 775.082 or
8 s. 775.083.

9 Section 8. This act shall take effect July 1, 2006.
10
11

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

13 And the title is amended as follows:

14 Delete everything before the enacting clause
15

16 and insert:

17 A bill to be entitled
18 An act relating to seaport security; creating
19 s. 311.111, F.S.; requiring each seaport
20 authority or governing board of a seaport that
21 is subject to the statewide minimum seaport
22 security standards to designate and identify
23 security area designations, access
24 requirements, and security enforcement
25 authorizations on seaport premises and in
26 seaport security plans; providing that any part
27 of a port's property may be designated as a
28 restricted access area under certain
29 conditions; amending s. 311.12, F.S.; revising
30 purpose of security plans maintained by
31 seaports; requiring periodic plan revisions;

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1 requiring plans to be inspected for compliance
2 by the Office of Drug Control and the
3 Department of Law Enforcement based upon
4 specified standards; providing requirements
5 with respect to protection standards in
6 specified restricted areas; requiring delivery
7 of the plan to specified entities; requiring
8 the Department of Law Enforcement to inspect
9 every seaport within the state to determine if
10 all security measures adopted by the seaport
11 are in compliance with seaport security
12 standards; requiring a report; authorizing
13 seaports to request review by the Domestic
14 Security Oversight Council of the findings in a
15 Department of Law Enforcement inspection
16 report; limiting the findings which the council
17 is authorized to review; requiring the
18 Department of Law Enforcement to establish by
19 rule a waiver process to grant certain
20 individuals unescorted access to seaports or
21 restricted access areas under certain
22 circumstances; providing waiver process
23 requirements; requiring the administrative
24 staff of the Parole Commission to review the
25 waiver application and transmit the findings to
26 the department; requiring the department to
27 make a final disposition of the application and
28 notify the applicant and the seaport; providing
29 procedures and requirements with respect to
30 waiver of any physical facility requirement or
31 other requirement contained in the statewide

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1 minimum standards for seaport security;
2 providing a penalty for possession of a
3 concealed weapon while on seaport property in a
4 designated restricted area; creating the
5 Seaport Standards Security Advisory Council
6 under the Office of Drug Control within the
7 Executive Office of the Governor; providing
8 membership, terms, organization, and meetings
9 of the council; requiring the Office of Drug
10 Control to convene the Seaport Security
11 Standards Advisory Council to review the
12 statewide minimum standards for seaport
13 security; requiring periodic review of the
14 statewide minimum standards for seaport
15 security to be conducted by the council;
16 creating s. 311.121, F.S.; providing
17 legislative intent with respect to the
18 employment by seaports of certified law
19 enforcement officers and certified private
20 security officers; providing authority of
21 seaports and requirements of the Department of
22 Law Enforcement with respect to such intent;
23 requiring the authority or governing board of
24 each seaport that is subject to statewide
25 minimum seaport security standards to impose
26 specified requirements for certification as a
27 seaport security officer; creating the Seaport
28 Security Officer Qualification, Training, and
29 Standards Coordinating Council under the
30 Department of Law Enforcement; providing
31 membership and organization of the council;

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1 providing terms of members; providing duties
2 and authority of the council; requiring the
3 Department of Education to develop curriculum
4 recommendations and specifications of the
5 council into initial and continuing education
6 and training programs for seaport security
7 officer certification; providing requirements
8 and procedures with respect to such training
9 programs; providing requirements and procedures
10 with respect to certification as a seaport
11 security officer; providing requirements for
12 renewal of inactive or revoked certification;
13 creating s. 311.122, F.S.; authorizing each
14 seaport in the state to create a seaport law
15 enforcement agency for its facility; providing
16 requirements of an agency; requiring
17 certification of an agency; providing
18 requirements with respect to the composition of
19 agency personnel; providing powers of seaport
20 law enforcement agency officers and seaport
21 security officers; creating s. 311.123, F.S.;
22 providing for the creation of a maritime domain
23 security awareness training program; providing
24 purpose of the program; providing program
25 training curriculum requirements; creating s.
26 311.124, F.S.; providing authority of seaport
27 security officers to detain persons suspected
28 of trespassing in a designated restricted area
29 of a seaport; providing immunity from specified
30 criminal or civil liability; creating s.
31 817.021, F.S.; providing a criminal penalty for

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1 willfully and knowingly providing false
2 information in obtaining or attempting to
3 obtain a seaport security identification card;
4 providing an effective date.
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