Florida Senate - 2006

By Senator Haridopolos

26-1589-06

1	A bill to be entitled
2	An act relating to the Division of Alcoholic
3	Beverages and Tobacco; amending s. 20.165,
4	F.S.; requiring each employee serving as a law
5	enforcement officer for the division to meet
6	the qualifications of a law enforcement officer
7	set forth in ch. 943, F.S., for employment or
8	appointment; requiring each such employee to be
9	certified as a law enforcement officer by the
10	Department of Law Enforcement; specifying the
11	primary responsibility for law enforcement
12	officers of the division; providing an
13	effective date.
14	
15	Be It Enacted by the Legislature of the State of Florida:
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17	Section 1. Subsection (9) of section 20.165, Florida
18	Statutes, is amended to read:
19	20.165 Department of Business and Professional
20	RegulationThere is created a Department of Business and
21	Professional Regulation.
22	(9)(a) All employees authorized by the Division of
23	Alcoholic Beverages and Tobacco shall have access to, and \underline{may}
24	shall have the right to inspect, premises licensed by the
25	division, to collect taxes and remit them to the officers
26	entitled to them, and to examine the books and records of all
27	licensees. The authorized employees shall require of each
28	licensee strict compliance with the laws of this state
29	relating to the transaction of such business.
30	(b) <u>Each employee serving as a law enforcement officer</u>
31	for the division must meet the qualifications for employment
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1	<u>or appointment as a law enforcement officer set forth under s.</u>
2	943.13 and must be certified as a law enforcement officer by
3	the Department of Law Enforcement under of chapter 943. Upon
4	certification, each law enforcement officer is subject to and
5	has the same authority as provided for law enforcement
б	officers generally in chapter 901 and has statewide
7	jurisdiction. Each officer also has arrest authority as
8	provided for state law enforcement officers in s. 901.15. Each
9	officer possesses the full law enforcement powers granted to
10	other peace officers of this state, including the authority to
11	make arrests, carry firearms, serve court process, and seize
12	contraband and the proceeds of illegal activities. All
13	employees certified under chapter 943 as law enforcement
14	officers shall have felony arrest powers under s. 901.15(10)
15	and shall have all the powers of deputy sheriffs to:
16	1. Investigate, enforce, and prosecute, throughout the
17	state, violations and violators of:
18	(c) The primary responsibility of each officer
19	appointed under this section includes enforcing the laws
20	relating to
21	a. parts I and II of chapter 210; part VII of chapter
22	559; and chapters 561-569; and the rules <u>adopted</u> promulgated
23	thereunder, as well as other state laws <u>that</u> which the
24	division, all state law enforcement officers, or beverage
25	enforcement agents are specifically authorized to enforce.
26	b. All other state laws, provided that the employee
27	exercises the powers of a deputy sheriff, only after
28	consultation and in coordination with the appropriate local
29	sheriff's office, and only if the violation could result in an
30	administrative proceeding against a license or permit issued
31	by the division.

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2. Enforce all criminal laws of the state within specified jurisdictions when the division is a party to a written mutual aid agreement with a state agency, sheriff, or municipal police department, or when the division participates in the Florida Mutual Aid Plan during a declared state б emergency. Section 2. This act shall take effect July 1, 2006. SENATE SUMMARY Requires each employee serving as a law enforcement officer for the division to meet the qualifications of a law enforcement officer set forth in chapter 943, F.S., for employment or appointment. Requires each such employee to be certified as a law enforcement officer by the Department of Law Enforcement. Specifies the primary responsibility for a law enforcement officer of the division.

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