

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Stark offered the following:

4

5 **Amendment**

6 Remove lines 56-116 and insert:

7 department has jurisdiction. All criminal investigations
8 involving matters over which the department has jurisdiction at
9 private correctional facilities, as defined in s. 944.710, may
10 be conducted by the law enforcement officers of the office of
11 the inspector general.

12 (c) A person designated as a law enforcement officer must
13 be certified pursuant to s. 943.1395 and must have a minimum of
14 3 years' experience as an inspector in the inspector general's
15 office or as a law enforcement officer.

16 (d) The department shall maintain a memorandum of

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17 understanding with the Department of Law Enforcement for the
18 notification and investigation of mutually agreed-upon predicate
19 events that shall include, but are not limited to, suspicious
20 deaths and organized criminal activity.

21 (e) During investigations, the inspector general and
22 inspectors may consult and confer with any prisoner or staff
23 member privately and without molestation and persons designated
24 as law enforcement officers under this section shall have the
25 authority to arrest, with or without a warrant, any prisoner of
26 or visitor to a state correctional institution for a violation
27 of the criminal laws of the state. Law enforcement officers
28 under this section shall have the authority to arrest, with or
29 without a warrant, any prisoner of or visitor to any state
30 correctional institution, as defined in s. 944.02, including all
31 private correctional facilities, for any violation of the
32 criminal laws of the state involving matters over which the
33 department has jurisdiction, involving an offense classified as
34 a felony that occurs on property owned or leased by the
35 department and may arrest offenders who have escaped or
36 absconded from custody.

37 (f) Persons designated as law enforcement officers have
38 the authority to arrest with or without a warrant a staff member
39 of the department, including any contract employee,
40 subcontractor, or volunteer, for a violation of the criminal
41 laws of the state that occurs ~~involving an offense classified as~~

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42 ~~a felony under this chapter or chapter 893~~ on property owned or
43 leased by the department, or any private correctional facility
44 staff member, contract employee, subcontractor, or volunteer,
45 for a violation of the criminal laws of the state involving
46 matters over which the department has jurisdiction at any
47 private correctional facility. A person designated as a law
48 enforcement officer under this section may make arrests of
49 persons against whom arrest warrants have been issued, including
50 arrests of offenders who have escaped or absconded from custody.
51 The arrested person shall be surrendered without delay to the
52 sheriff of the county in which the arrest is made, with a formal
53 complaint subsequently made against her or him in accordance
54 with law.

55 Section 2. Paragraphs (a) through (h) of subsection (1) of
56 section 957.04, Florida Statutes, are redesignated as paragraphs
57 (b) through (i), respectively, a new paragraph (a) is added to
58 that subsection, and present paragraphs (a) and (e) of that
59 subsection are amended, to read:

60 957.04 Contract requirements.—

61 (1) A contract entered into under this chapter for the
62 operation of private correctional facilities shall maximize the
63 cost savings of such facilities and ~~shall~~:

64 (a) Unless otherwise specified herein, contracts entered
65 into under this chapter are not exempt from chapter 287,

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66 | including the competitive solicitation requirements thereof.
67 | However, if there is a direct conflict between this chapter