

## House Bill No. 1271

An act relating to the Division of Alcoholic Beverages and Tobacco; amending s. 20.165, F.S.; requiring each employee serving as a law enforcement officer for the division to meet the qualifications of a law enforcement officer set forth in ch. 943, F.S., for employment or appointment; requiring each such employee to be certified as a law enforcement officer by the Department of Law Enforcement; providing the law enforcement officer with certain powers, authority, and jurisdiction; specifying the primary and secondary responsibilities for law enforcement officers of the division; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (b) of subsection (9) of section 20.165, Florida Statutes, is amended to read:

20.165 Department of Business and Professional Regulation.—There is created a Department of Business and Professional Regulation.

(9)

(b) Each employee serving as a law enforcement officer for the division must meet the qualifications for employment or appointment as a law enforcement officer set forth under s. 943.13 and must be certified as a law enforcement officer by the Department of Law Enforcement under chapter 943. Upon certification, each law enforcement officer is subject to and has the same authority as provided for law enforcement officers generally in chapter 901 and has statewide jurisdiction. Each officer also has arrest authority as provided for state law enforcement officers in s. 901.15. Each officer possesses the full law enforcement powers granted to other peace officers of this state, including the authority to make arrests, carry firearms, serve court process, and seize contraband and the proceeds of illegal activities.

1. The primary responsibility of each officer appointed under this section is ~~All employees certified under chapter 943 as law enforcement officers shall have felony arrest powers under s. 901.15(10) and shall have all the powers of deputy sheriffs to:~~

1. investigate, enforce, and prosecute, throughout the state, violations and violators of:

a. parts I and II of chapter 210,<sup>5</sup> part VII of chapter 559,<sup>5</sup> and chapters 561-569,<sup>5</sup> and the rules ~~adopted promulgated~~ thereunder, as well as other state laws that ~~which~~ the division, all state law enforcement officers, or beverage enforcement agents are specifically authorized to enforce.

2.b. The secondary responsibility of each officer appointed under this section is to enforce all other state laws, provided that the enforcement is

~~incidental to exercising the officer's primary responsibility as provided in subparagraph 1., and the officer employee exercises the powers of a deputy sheriff, only after consultation or and in coordination with the appropriate local sheriff's office, and only if the violation could result in an administrative proceeding against a license or permit issued by the division.~~

~~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 emergency.~~

Section 2. This act shall take effect July 1, 2006.

Approved by the Governor June 14, 2006.

Filed in Office Secretary of State June 14, 2006.