

Committee Substitute for Senate Bill No. 1694

An act relating to emergency dispatchers; providing a short title; creating s. 401.465, F.S.; providing definitions; requiring the Department of Health to establish criteria for the certification of 911 emergency dispatchers; providing requirements for certification; requiring the department to determine if an applicant meets the requirements for certification; requiring the department to establish a procedure for certificate renewal; providing for the expiration and renewal of certificates; authorizing the department to suspend or revoke a certificate; providing that a certificateholder may request inactivation of his or her certification; providing requirements for renewing an inactive certificate; requiring the department to establish a procedure for the initial certification of certain 911 emergency dispatchers; providing fees for original application and renewal of a certificate; requiring that fees be deposited in a trust fund and used for specified purposes; providing for replacement of a lost or destroyed certificate; requiring the department to issue a replacement certificate under certain circumstances; providing an effective date.

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

Section 1. This act may be cited as the “Denise Amber Lee Act.”

Section 2. Section 401.5, Florida Statutes, is created to read:

401.465 911 emergency dispatcher certification.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “911 emergency dispatcher” means a person employed by a state agency or local government as a public safety dispatcher or 911 operator whose duties and responsibilities include answering 911 calls; dispatching law enforcement officers, fire rescue services, emergency medical services, and other public safety services to the scene of an emergency; providing real-time information from federal, state, and local crime databases; or supervising or serving as the command officer to a person or persons having such duties and responsibilities. However, the term does not include administrative support personnel, including, but not limited to, those whose primary duties and responsibilities are in accounting, purchasing, legal, and personnel.

(b) “Department” means the Department of Health.

(2) PERSONNEL; STANDARDS AND CERTIFICATION.—

(a) Any person who desires to be certified or recertified as a 911 emergency dispatcher may apply to the department under oath on forms provided by the department. The department shall establish by rule educational and training criteria for the certification and recertification of 911 emergency dispatchers.

(b) The department shall determine whether the applicant meets the requirements specified in this section and in rules of the department and shall issue a certificate to any person who meets such requirements. Such requirements must include, but need not be limited to, the following:

1. Completion of an appropriate 911 emergency dispatcher training program that is equivalent to the most recently approved emergency dispatcher course of the Department of Education and consists of not less than 208 hours;

2. Completion and documentation of at least 2 years of supervised full-time employment as a 911 emergency dispatcher since January 1, 2002;

3. Certification under oath that the applicant is not addicted to alcohol or any controlled substance;

4. Certification under oath that the applicant is free from any physical or mental defect or disease that might impair the applicant's ability to perform his or her duties;

5. Submission of the application fee prescribed in subsection (3); and

6. Submission of a completed application to the department which indicates compliance with subparagraphs 1., 2., 3., and 4.

(c) The department shall establish by rule a procedure for the biennial renewal certification of 911 emergency dispatchers.

(d) Each 911 emergency dispatcher certificate expires automatically if not renewed at the end of the 2-year period and may be renewed if the holder meets the qualifications for renewal as established by the department. A certificate that is not renewed at the end of the 2-year period automatically reverts to an inactive status for a period that may not exceed 180 days. Such certificate may be reactivated and renewed within the 180-day period if the certificateholder meets all other qualifications for renewal and pays a \$50 late fee. Reactivation shall be in a manner and on forms prescribed by department rule.

(e) The department may suspend or revoke a certificate at any time if it determines that the certificateholder does not meet the applicable qualifications.

(f) A certificateholder may request that his or her 911 emergency dispatcher certificate be placed on inactive status by applying to the department before his or her current certification expires and paying a fee set by the department which may not exceed \$100.

1. A certificateholder whose certificate has been on inactive status for 1 year or less may renew his or her certificate pursuant to the rules adopted by the department and upon payment of a renewal fee set by the department which may not exceed \$100.

2. A certificateholder whose certificate has been on inactive status for more than 1 year may renew his or her certificate pursuant to rules adopted by the department.

3. A certificate that has been inactive for more than 6 years automatically expires and may not be renewed.

(g) The department shall establish by rule a procedure for the initial certification of 911 emergency dispatchers as defined in this section who have documentation of at least 5 years of supervised full-time employment as a 911 emergency dispatcher since January 1, 2002.

(3) FEES.—

(a) The fee for application for the 911 emergency dispatcher original certificate is \$75.

(b) The application fee for the 911 emergency dispatcher biennial renewal certificate is \$100.

(c) Fees collected under this section shall be deposited into the Emergency Medical Services Trust Fund and used solely for salaries and expenses of the department incurred in administering this section.

(d) If a certificate issued under this section is lost or destroyed, the person to whom the certificate was issued may, upon payment of a fee set by the department which may not exceed \$25, obtain a duplicate or substitute certificate.

(e) Upon surrender of the original 911 emergency dispatcher certificate and receipt of a replacement fee set by the department which may not exceed \$25, the department shall issue a replacement certificate to make a change in name.

Section 3. This act shall take effect October 1, 2008.

Approved by the Governor May 28, 2008.

Filed in Office Secretary of State May 28, 2008.