

CHAPTER 2024-36

Committee Substitute for House Bill No. 1551

An act relating to the Florida State Guard; creating s. 251.002, F.S.; requiring each applicant for the Florida State Guard to submit a complete set of fingerprints to the Division of the State Guard or to a certain vendor, entity, or agency; requiring fingerprints to be forwarded to the Department of Law Enforcement for state processing and to the Federal Bureau of Investigation for a national criminal history record check; requiring the Department of Military Affairs, and authorizing the division, to review certain results and make a specified determination; requiring the division to bear the fees for state and federal fingerprint processing and retention; specifying the state cost for fingerprint processing; requiring retention of fingerprints by the Department of Law Enforcement and enrollment of the fingerprints in the Federal Bureau of Investigation's national retained print arrest notification program; requiring an identified arrest record to be reported to the division; providing an effective date.

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

Section 1. Section 251.002, Florida Statutes, is created to read:

251.002 Florida State Guard applicants; criminal history record checks.

(1) Each applicant for the Florida State Guard must submit a complete set of fingerprints to the Division of the State Guard or to the vendor, entity, or agency authorized by s. 943.053(13) to accept electronic fingerprints. The division, vendor, entity, or agency, as applicable, shall forward the fingerprints to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for a national criminal history record check.

(2) The Department of Military Affairs shall, and the Division of the State Guard may, review the results of the state and national criminal history record checks and determine whether the applicant meets the specified qualifications to serve in the Florida State Guard.

(3) Fees for state and federal fingerprint processing and retention must be borne by the Division of the State Guard. The state cost for fingerprint processing must be as provided in s. 943.053(3)(e).

(4) Fingerprints submitted to the Department of Law Enforcement pursuant to this section must be retained by the Department of Law Enforcement as provided in s. 943.05(2)(g) and (h) along with enrollment of the fingerprints in the Federal Bureau of Investigation's national retained print arrest notification program. Any arrest record identified must be reported to the Division of the State Guard.

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor March 22, 2024.

Filed in Office Secretary of State March 22, 2024.