

Senate Bill No. 2002

An act relating to law enforcement officer training; amending s. 943.16, F.S.; requiring trainees attending approved basic recruit training programs to reimburse an employing agency for tuition, other course expenses, wages, and benefits paid by the agency if the employee terminates his or her employment or appointment within a specified time period after graduation; providing a schedule for reimbursement of a trainee's wages and benefits; authorizing an employing agency to institute civil action under certain circumstances; providing definitions; providing applicability; authorizing an employing agency to waive reimbursement requirements under certain circumstances; providing a conditional effective date.

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

Section 1. Section 943.16, Florida Statutes, is amended to read:

943.16 Payment of tuition or officer certification examination fee by employing agency; reimbursement of tuition, other course expenses, wages, and benefits.—

(1) An employing agency is authorized to pay any costs of tuition of a trainee in attendance at an approved basic recruit training program.

(2)(a) A trainee who attends such approved training program at the expense of an employing agency must remain in the employment or appointment of such employing agency for a period of not less than 2 years after graduation from the basic recruit training program 1-year. If employment or appointment is terminated on the trainee's own initiative within 2 years 1-year, he or she shall reimburse the employing agency for the full cost of his or her participation; and such employing agency may institute a civil action to collect such tuition cost if it is not reimbursed tuition, other course expenses, and additional amounts as provided in paragraph (b).

(b) In addition to reimbursement for the full cost of tuition and other course expenses, a trainee terminating employment as provided in paragraph (a) shall reimburse the employing agency for the trainee's wages and benefits paid by the employing agency during the academy training period according to the following schedule:

1. For a trainee terminating employment within 6 months of graduation from the basic recruit training program, the full amount of wages and benefits paid during the academy training period.

2. For a trainee terminating employment within 6 months and 1 day to 12 months of graduation from the basic recruit training program, an amount equal to three-fourths of the full amount of wages and benefits paid during the academy training period.

3. For a trainee terminating employment within 12 months and 1 day to 18 months of graduation from the basic recruit training program, an amount equal to one-half of the full amount of wages and benefits paid during the academy training period.

4. For a trainee terminating employment within 18 months and 1 day to 24 months of graduation from the basic recruit training program, an amount equal to one-fourth of the full amount of wages and benefits paid during the academy training period.

(3) An employing agency is authorized to pay the required fee for an applicant to take the officer certification examination on one occasion.

(4) An employing agency may institute a civil action to collect such cost of tuition, other course expenses, wages, and benefits as provided in this section if it is not reimbursed, provided that the employing agency gave written notification to the trainee of the 2-year employment commitment during the employment screening process. The trainee shall return signed acknowledgement of receipt of such notification.

(5) For purposes of this section, "academy training period" means the period of time that a trainee is attending an approved basic recruit training program in a law enforcement or correctional officer academy class for purposes of obtaining certification pursuant to chapter 943, until the date of graduation from such class. The term "other course expenses" includes the cost of meals.

(6) This section does not apply to trainees who terminate employment with the employing agency and resign their certification upon termination in order to obtain employment for which certification under chapter 943 is not required. Further, this section does not apply to trainees attending auxiliary officer training.

(7) Notwithstanding the provisions of this section, an employing agency may waive a trainee's requirement of reimbursement in part or in full when the trainee terminates employment due to hardship or extenuating circumstances.

Section 2. This act shall take effect July 1, 2003, and applies to basic recruit training classes commencing after that date.

Approved by the Governor June 26, 2003.

Filed in Office Secretary of State June 26, 2003.