



**AGENDA**  
**FLORIDA DEPARTMENT OF LAW ENFORCEMENT**  
**December 17, 2024**

Attachments to the items below can be viewed at the following link:

<http://www.fdle.state.fl.us/Cabinet/Cabinet-Packages.aspx>

- ITEM 1      Respectfully submit report on **Department's Contracts, Agreements and Purchases over \$100,000 for FY 23-24 3<sup>rd</sup> Quarter (January 1 to March 31), FY 23-24 4<sup>th</sup> Quarter (April 1 to June 30), and FY 24-25 1<sup>st</sup> Quarter (July 1 to September 30)**

(See Attachment 1)

RECOMMEND ACCEPT REPORT

- ITEM 2      Respectfully submit **Notice of Proposed Rules for the following: Rule Chapters 11B-14, 11B-18, 11B-20, 11B-21, 11B-27, 11B-30, 11B-35, 11C-6, 11C-8, 11C-11, and 11D-12 F.A.C.** The department also requests approval to file for final adoption if no substantive changes to the rules are required following publication of the notice of proposed rules.

(See Attachment 2)

RECOMMEND APPROVAL



# CONTRACTS, AGREEMENTS AND PURCHASES OVER \$100,000

Q3 - FY 2023-2024 (January 1 to March 31, 2024)

VENDOR	PURCHASE ORDER	SERVICE	TYPE	TERM	AMOUNT
Carahsoft Technology Corp.	C35302	Premium software as a service unlimited unlocks and extraction annual subscription	Alternate Contract	3/1/24-6/30/24	\$202,197.34
Copyfax 2000, Inc.	EP236692	Lease of Konica Minolta Accuriopress C4070 for FDLE Print Shop	Alternate Contract	60 months	\$143,000.00
CyberNational, Inc.	C3382E	Purchase of six portable Retrieval-Shoot Trailers	Single Source	One time purchase	\$260,040.00
Department of Management Services	CAA-FDLE-02329170 CAA-FDLE-02329140	Renovation of three large file rooms and conversion of two offices for Office of Human Resources and secondary power supply feeder to the FDLE Headquarters building	Exempt Transaction with Governmental Agency	One time purchase	\$160,000.00 \$229,164.00
Florida Outdoor Advertising Association, Inc.	C347C5	Outdoor Advertising Florida's See Something Say Something campaign	Exempt Statewide PSA Programs	One time purchase	\$225,000.00
Florida Sheriff's Association 1122 Program	C31DD4 C306BA	Conversion of two FDLE cyber vans and a confidential purchase order for language interpretation services	1122 Program	One time purchase	\$212,421.00 \$286,234.46
Forensic Technology, Inc.	C2F618 C360F3	Purchase of one National Integrated Ballistics cartridge cases acquisition and triage package for the Lake County Sheriff's Office and one for the Volusia County Sheriff's Office	Single Source	One time purchase	\$158,235.00 \$158,235.00
GCOM Software, LLC*	EP236411 EP236421	5,933 hours of Information Technology staff augmentations for modifications to Computerized Criminal History (CCH) charge and expunge workflow as required for the Modern Biometric Identification System (MBIS) and 4,153 hours of IT staff augmentation to CCH Civil Workflow Control System as required for MBIS	Invitation to Negotiate	1/23/24-6/30/25	\$741,625.00 \$519,125.00
Gejitis Infotech, Inc.	C31EBF	835 hours of IT staff augmentation for program management for the Planning Accounting and Ledger Management (PALM) project	State Term Contract	2/12/24-6/30/24	\$120,200.00
Georgia-Florida Burglar Alarm	C32AA2	Security system upgrades for the Tampa Bay Regional Operations Center	Single Source	One time purchase	\$110,117.70
Gunster, Yoakley & Stewart, P.A.	EP253831	Private attorney fees	Exempt legal services	12/27/23-6/30/25	\$174,500.00
Idemia Identity & Security USA, LLC	C33CA0	Purchase of 42 MBIS Latent Expert Workstations and 13 MBIS Reviewer Station software licenses	Single Source	One time purchase	\$1,296,500.00
L3 Harris Technologies, Inc.	C356EF	Purchase of 40 complete law enforcement radios and additional radio parts	Alternate Contract	One time purchase	\$412,147.10
Life Technologies Corporation	C30FB8 C31F92 C32FAD C35DF3	Reagents for the Jacksonville, Orlando, Tallahassee, and Tampa Bay Regional DNA Laboratories	Single Source	One time purchase	\$127,892.65 \$192,702.05 \$514,119.75 \$250,884.69
Mythics, LLC	EP243946	Purchase of Oracle Software Licenses - required by the FBI to run the comparisons for III Sync Certification	Alternate Contract	2/26/24-6/30/25	\$252,539.86
Porter Lee Corporation	FDLE-005-24	Maintenance and support of the Forensic Laboratory Information Management System that provides evidence tracking, inventory, and auditing capabilities	Single Source	1/1/24-12/31/26	\$630,482.40



## CONTRACTS, AGREEMENTS AND PURCHASES OVER \$100,000

Q3 - FY 2023-2024 (January 1 to March 31, 2024)

VENDOR	PURCHASE ORDER	SERVICE	TYPE	TERM	AMOUNT
SHI International	C360F4	Software maintenance for Informatica Identity Resolution - Name Search Software Utilized by Mission Critical System, Florida Crime Information Center	Alternate Contract	4/1/24-6/30/25	\$222,407.12
Strategic IT Alignment Group, LLC	EP244928	2,700 hours of IT staff augmentation - Business Analyst for Missing Endangered Persons Information Clearinghouse technology upgrade	State Term Contract	3/4/24-6/30/25	\$229,500.00
Tal Search Group, Inc.	EP257742	2,500 hours of IT staff augmentation - Criminal Justice Information Systems and other FDLE Systems	State Term Contract	4/18/24-6/30/25	\$212,500.00
Trane U.S. Inc.	C2FF84	Purchase of one chiller for the Tampa Bay Regional Operations Center	Alternate Contract	One time purchase	\$347,330.00



# CONTRACTS, AGREEMENTS AND PURCHASES OVER \$100,000

Q4 - FY 2023-2024 (April 1 to June 30, 2024)

VENDOR	PURCHASE ORDER	SERVICE	TYPE	TERM	AMOUNT
Cadre Research Labs Illinois, LLC	C38565	Purchase of four desktop TopMatch-3D High-Capacity Imaging and Analysis Systems for firearm forensics	Single Source	One Time Purchase	\$579,767.00
Commercial Design Services	C3CC0F	Purchase of furniture	Alternate Cotract	One Time Purchase	\$137,457.06
Department of Legal Affairs	FDLE-004-25	Legal services	Exempt	7/1/24-6/30/25	\$200,000.00
Department of Management Services	CAA-FDLE-02329260	FDLE Headquarters renovations	Consultant's Competitive Negotiation Act	4/24/24-12/31/24	\$453,000.00
Excelsior Littleton Road, LLC	710:0282	Facilities Lease - two year lease for 9,600 square feet of warehouse space located in North Fort Myers	Invitation to Negotiate	6/1/24-5/31/26	\$318,240.00
Faro Technologies, Inc.	C3A23A	Purchase of four FARO Focus premium laser scanners	Single Source	One Time Purchase	\$174,984.94
Fisher Scientific Company LLC	C3C866 C3CB12 C3C78B	Purchase of chemical, biological, radiological, nuclear, and explosives materials Purchase of six Pendar X10 devices Purchase of one SkyRanger R70 drone	Alternate Cotract	One Time Purchase	\$265,373.10 \$447,260.00 \$161,095.00
Florida Sheriff's Association	C3B417 C3CB5D	Purchase of three mini-caliber robots Purchase of one SkyCope Layer 1 drone	1122 Program	One Time Purchase	\$178,913.71 \$153,750.00
Florida Sheriff's Association	C3C686	Confidential language interpretation services	1122 Program	One Month	\$141,270.05
Forensic Technology Inc.	C3C143	Purchase of Brasstrax National Integrated Ballistic Information Network Cartridge Cases Acquisition & Triage package	Single Source	One Time Purchase	\$158,235.00
Hamilton Company	C3CC4B	Purchase of one Hamilton Microlab Star Machine with trade in	Single Source	One Time Purchase	\$148,864.60
Insight Public Sector, Inc	EP266590	Purchase of Axion Pro software as a service, digitizing and upload services	Alternate Cotract	4/1/24-4/1/25	\$374,198.42
Insight Public Sector, Inc	C3C822	Purchase of license plate reader system	Alternate Cotract	One Time Purchase	\$219,731.95
Lawmen's and Shooters' Supply, Inc	C38733	Purchase of Glock 19, 45, and 43X firearms	Exceptional Purchase	One Time Purchase	\$121,820.00
Life Technologies Corporation	C3A44C C3A58E C3926C C39BF5	Reagents for Jacksonville Regional DNA Laboratory Reagents for Orlando Regional DNA Laboratory Reagents for Pensacola Regional DNA Laboratory Reagents for Tallahassee Regional DNA Laboratory	Single Source	One Time Purchase	\$126,202.03 \$144,556.15 \$129,262.29 \$123,419.30
Mad Dog Design & Construction Co. Inc.	C3CCA7	FDLE Headquarters renovations	Invitation to Negotiate	One Time Purchase	\$153,245.00
Qiagen, LLC.	C3AFB4 C3AFAB C3AFA9	Purchase of nine QIAcube connect devices	Single Source	One Time Purchase	\$121,814.40 \$121,814.40 \$121,814.40
Quadient Leasing USA, Inc.	EP288663	60-month lease of mailing system and accessories for the FDLE HQ mail room	State Term Contract	60 Month Lease	\$118,377.00
Sanrose Information Services, Inc*	EP263900	2,450 hours of information technology staff augmentation - team lead Finance Consultant for PALM	State Term Contract	4/15/24-6/30/25	\$225,400.00
SHI International Corp.*	EP287938	Instructure's Canvas Learning Management System	Alternate Cotract	5/30/24-6/30/27	\$138,564.37



## CONTRACTS, AGREEMENTS AND PURCHASES OVER \$100,000

Q4 - FY 2023-2024 (April 1 to June 30, 2024)

VENDOR	PURCHASE ORDER	SERVICE	TYPE	TERM	AMOUNT
St. Louis Based World Wide Technology, LLC	C3B5A8	Purchase of network switches	Alternate Contract	One Time Purchase	\$493,195.93
Steele Industries Inc	C3C762	Purchase of 25 AB articulating ruggedized night vision goggles and 31 B.E. Meyers modular advanced weapon lasers	Invitation to Bid	One Time Purchase	\$323,598.38
Tactical Support Equipment, Inc	C3C275	Purchase of one 4 Channel 5G Enabler Solution V850	Single Source	One Time Purchase	\$317,800.00
Tech Army, LLC*	EP271292	2,330 hours of information technology staff augmentation - Project Management for PALM	State Term Contract	5/6/24-6/30/25	\$254,226.30
YKK AP America Inc.	C3A8D6	122 large, level D rated windows with glazing at the Tampa Bay Regional Operations Center	Invitation to Negotiate	One Time Purchase	\$282,300.00



# CONTRACTS, AGREEMENTS AND PURCHASES OVER \$100,000

Q1 - FY 2024-2025 (July 1 to September 30, 2024)

VENDOR	PURCHASE ORDER	SERVICE	TYPE	TERM	AMOUNT
3k Technologies, LLC	C3E5EC C3D4F4 C40B0F C3D421 C3D28E C3DE59 C3D3AD	2,000 hours of IT staff augmentation - FDLE 2,000 hours of IT staff augmentation - CJSTC 2,000 hours of IT staff augmentation - CJIS 2,000 hours of IT staff augmentation - FDLE 2,000 hours of IT staff augmentation - FDLE 2,000 hours of IT staff augmentation - FPP 2,000 hours of IT staff augmentation - Database	State Term Contract	7/1/24-6/30/25	\$200,000.00 \$174,000.00 \$170,000.00 \$170,000.00 \$170,000.00 \$160,000.00 \$160,000.00
3k Technologies, LLC	C45860	1,670 hours of IT staff augmentation - MEPIC	State Term Contract	9/9/24-6/30/25	\$141,950.00
3k Technologies, LLC	C45C2B	1,550 hours of IT staff augmentation - MEPIC	State Term Contract	9/23/24-6/30/25	\$131,750.00
AB SCIEX LLC	C3D30D	AB SCIEX equipment maintenance renewal	Single Source	7/1/24-6/30/25	\$397,718.48
Ace Infotech LLC	C46C15	1,500 hours of IT staff augmentation - MEPIC	State Term Contract	10/1/24-6/30/25	\$127,500.00
Advanced Systems Design, Inc.	C3DE54 C3D366	2,000 hours of IT staff augmentation – Next Gen ID 2,000 hours of IT staff augmentation – Bus Sys Eng	State Term Contract	7/1/24-6/30/25	\$180,000.00 \$176,000.00
Agilent Technologies, Inc.	C3D19A	Crosslab laboratory equipment maintenance	Single Source	7/1/24-6/30/25	\$145,625.40
Angel Armor, LLC	C45073	Purchase of body armor - Columbia County Sheriff's Office	Alternate Contract Source	One Time Purchase	\$164,164.00
Brandt Information Services, LLC	C3E587	2,000 hours of IT staff augmentation - BIS	State Term Contract	7/1/24-6/30/25	\$220,000.00
Carahsoft Technology Corp.*	C4713F	Cellebrite server and software	Alternate Contract Source	12/14/24-12/13/25	\$1,995,865.00
Carahsoft Technology Corp.*	C46A62	Red Hat renewal	Alternate Contract Source	10/1/24-9/30/25	\$612,759.85
Carahsoft Technology Corp.*	C3DA14 C3D9A5	Cellebrite Software as a Service (SaaS) Cellebrite Software as a Service (SaaS)	Alternate Contract Source	7/1/24-6/30/25	\$640,772.99 \$539,964.16
Carahsoft Technology Corp.*	EP321395	Confidential software support	Alternate Contract Source	8/5/24-8/4/25	\$447,750.00
Computer Training & Consulting LLC	C3FA12	2,000 hours of IT staff augmentation - Security	State Term Contract	7/1/24-6/30/25	\$170,000.00
Dell Marketing L.P.	C4150B	Purchase of 150 laptops and 150 docking stations	Alternate Contract Source	One Time Purchase	\$249,198.00
Department of Management Services	CAA-FDLE-02329280 CAA-FDLE-02425060	Capitol Complex - Capitol Police Offices renovation Tampa Bay Regional Operations Center renovation	Exempt - Transaction with Governmental Agency	One Time Purchase	\$184,000.00 \$750,000.00
Diverse Computing, Inc.	FDLE-009-25	Maintenance and after hours services - Florida Crime Information Center message switch/hot files system	Single Source	9/26/24-9/30/27	\$462,029.54



# CONTRACTS, AGREEMENTS AND PURCHASES OVER \$100,000

Q1 - FY 2024-2025 (July 1 to September 30, 2024)

VENDOR	PURCHASE ORDER	SERVICE	TYPE	TERM	AMOUNT
DLT Solutions, LLC	C3D8AD C3E685	Oracle software license and support renewal Oracle software license and support renewal	Alternate Contract Source	7/1/24-6/30/25	\$846,469.73 \$209,511.90
FlightSafety International	C440C7	Initial and recurrent pilot trainings	Single Source	7/1/24-6/30/25	\$319,775.00
Florida Power and Light	C3D4E8	Pensacola Regional Operations Center power/utilities	Exempt - Utilities	7/1/24-6/30/25	\$200,000.00
Florida Sheriffs Association 1122 Program	C46306	Confidential purchase order for services	1122 Program	9/10/24-12/31/24	\$168,125.09
Florida Sheriffs Association 1122 Program	C4422F C4422B	Purchase of Agilent Inert Plus MSD EI Bundle Purchase of Agilent Inert Plus MSD Turbo EI Bundle	1122 Program	One Time Purchase	\$156,957.43 \$107,619.82
Florida Sheriffs Association 1122 Program	C463CC	Confidential purchase order for services	1122 Program	9/13/24-6/30/25	\$177,216.88
Gejits Infotech Inc	C3DF06 C3D34B C3F69D C3E5B3 C3D2BF	2,000 hours of IT staff augmentation - PALM 2,000 hours of IT staff augmentation - CJSTC 2,000 hours of IT staff augmentation - FFC 2,000 hours of IT staff augmentation - FCIC 2,000 hours of IT staff augmentation - SO/SP	State Term Contract	7/1/24-6/30/25	\$240,000.00 \$184,000.00 \$180,000.00 \$160,000.00 \$160,000.00
Gejits Infotech Inc	C45A8F	1,670 hours of IT staff augmentation - MEPIC	State Term Contract	9/10/24-6/30/25	\$141,950.00
Gejits Infotech Inc	C45AE0	1,550 hours of IT staff augmentation - MEPIC	State Term Contract	9/23/24-6/30/25	\$131,750.00
GL Distributors, Inc.	C440EF	Purchase of body armor - Hialeah Police Department	Alternate Contract Source	One Time Purchase	\$178,813.34
Global Information Services, Inc.	C3E5CE C3D3A8 C405CE C3D47D C3D429 C3DE30	2,000 hours of IT staff augmentation - MEPIC 2,000 hours of IT staff augmentation - FDLE 2,000 hours of IT staff augmentation - CCH 2,000 hours of IT staff augmentation - FDLE 2,000 hours of IT staff augmentation - FDLE 2,000 hours of IT staff augmentation - MEPIC	State Term Contract	7/1/24-6/30/25	\$206,000.00 \$190,000.00 \$176,000.00 \$174,000.00 \$170,000.00 \$160,000.00
Idemia Identity & Security USA, LLC	FDLE-008-23	Continued maintenance service for the Biometric Information Solution (BIS) system. Total contract increased to \$3,706,924.88	Single Source	12/1/22-6/30/25	\$717,469.32
Innoworld Information Technologies LLC*	C3D4CA	2,000 hours of IT staff augmentation - FDLE	State Term Contract	7/1/24-6/30/25	\$210,000.00
Insight Public Sector, Inc.	C3D86C C3D454	Microsoft Azure cloud computing software Magnet Axiom renewal	Alternate Contract Source	7/1/24-6/30/25	\$1,320,000.00 \$165,030.28
Insight Public Sector, Inc.	C46AC2	Adobe renewal	Alternate Contract Source	9/27/24-9/26/25	\$278,083.36
Insight Public Sector, Inc.	C45F3E	Microsoft support services	Alternate Contract Source	10/1/24-9/30/25	\$158,583.33
Inspired Technologies of North Florida, Inc.	C3F44A C3D504	Cloud computing consulting services 1,000 hours of IT staff augmentation - FDLE	State Term Contract	7/1/24-6/30/25	\$245,843.52 \$140,000.00





# CONTRACTS, AGREEMENTS AND PURCHASES OVER \$100,000

Q1 - FY 2024-2025 (July 1 to September 30, 2024)

VENDOR	PURCHASE ORDER	SERVICE	TYPE	TERM	AMOUNT
Intellisite, LLC	EP317553	Confidential hardware	Single Source	One Time Purchase	\$192,502.00
KLC Consulting, Inc.	C3E541 C3D3CF C3DE82	2,000 hours of IT staff augmentation - FDLE 2,000 hours of IT staff augmentation - SO/SP 2,000 hours of IT staff augmentation - BIS	State Term Contract	7/1/24-6/30/25	\$174,000.00 \$170,000.00 \$170,000.00
Kyra Solutions, Inc.	C3F939 C3E5E1 C3D268	2,000 hours of IT staff augmentation - RAMS 2,000 hours of IT staff augmentation - FDLE 2,000 hours of IT staff augmentation - FDLE	State Term Contract	7/1/24-6/30/25	\$262,000.00 \$180,000.00 \$180,000.00
Life Technologies Corporation	C46B42 C44B53 C44464 C46AF1 C43902 C45953	Reagents - Jacksonville Regional DNA Laboratory Reagents - Orlando Regional DNA Laboratory Reagents - Tallahassee Regional DNA Laboratory Reagents - Tallahassee Regional DNA Laboratory Reagents - Tampa Bay Regional DNA Laboratory Reagents - Tampa Bay Regional DNA Laboratory	Single Source	One Time Purchase	\$133,374.55 \$282,569.25 \$475,842.42 \$141,345.85 \$119,986.77 \$255,348.50
Pen-Link, Ltd	C406AF	Confidential software licenses	Single Source	7/1/24-6/30/25	\$220,083.78
Peraton State & Local Inc.	FDLE-010-25	Maintenance and support for the Florida Regional LinX System	Single Source	10/01/24-9/25/25	\$325,528.28
RamcoTek Consulting LLC*	C3D2E5	2,000 hours of IT staff augmentation - MEPIC	State Term Contract	7/1/24-6/30/25	\$200,000.00
Rochester Insulated Glass	C4143D	Window replacement at Tampa Bay Regional Operations Center	Exempt - Transaction with Governmental Agency	One Time Purchase	\$180,000.00
Sanrose Information Services Inc.	C3E5AE	2,000 hours of IT staff augmentation - COAST	State Term Contract	7/1/24-6/30/25	\$170,000.00
Secure Passage, Inc. fka Digital Sandbox, Inc.	EP327161	Haystack Constellation for safety and security	Alternate Contract Source	9/1/24-8/31/25	\$736,775.82
SGS Technologie LLC*	C3D4C0	2,000 hours of IT staff augmentation - FDLE	State Term Contract	7/1/24-6/30/25	\$200,000.00
SHI International Corp.*	EP322208	Vmware subscription	Alternate Contract Source	8/25/24-8/24/27	\$104,626.08
SHI International Corp.*	EP336381	Vmware subscription	Alternate Contract Source	9/24/24-9/23/29	\$1,613,974.60
St. Louis Based World Wide Technology, LLC	C3DF0B	Cisco Smartnet renewal	Alternate Contract Source	7/1/24-6/30/25	\$337,412.26
Step One Automotive	C46FDB	Purchase of four 2024 Ford Explorers	State Term Contract	One Time Purchase	\$149,137.16
Strategic IT Alignment Group, LLC	C3D4A2 C3E565	2,000 hours of IT staff augmentation - BIS 2,000 hours of IT staff augmentation - COAST	State Term Contract	7/1/24-6/30/25	\$162,000.00 \$160,000.00
System Soft Technologies, LLC*	C400B3 C400E8	2,000 hours of IT staff augmentation - SO/SP 2,000 hours of IT staff augmentation - FPP	State Term Contract	7/1/24-6/30/25	\$200,000.00 \$190,000.00
Tal Search Group, Inc.	C3D50F	2,000 hours of IT staff augmentation - FDLE	State Term Contract	7/1/24-6/30/25	\$180,000.00
Tropical Ford*	C44046	Purchase of six 2024 Ford Transit 350 cargo vans	State Term Contract	One Time Purchase	\$379,822.14
Vitaver and Associates, Inc.*	C3D309	2,000 hours of IT staff augmentation - FDLE	State Term Contract	7/1/24-6/30/25	\$198,000.00



STATE OF FLORIDA  
DEPARTMENT OF LAW ENFORCEMENT  
CHAPTER 11B-14, FLORIDA ADMINISTRATIVE CODE  
AMENDING RULE 11B-14.002  
SALARY INCENTIVE PROGRAM  
SUMMARY OF THE RULE

Revises Training Report, form CJSTC-67; and Higher Education for Salary Incentive Report, form CJSTC-63.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

11B-14.002(2): Incorporates the revised Training Report, form CJSTC-67, to change the rule reference and update where the original and/or copy of the form should be maintained.

11B-14.002(6)(b): Incorporates the revised Higher Education for Salary Incentive Report, form CJSTC-63, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND  
LEGISLATIVE RATIFICATION

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the

information expressly relied upon and described herein: The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

#### FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

#### SUMMARY OF HEARING

No requests for a public hearing or written comments have been received.

NOTICE OF PROPOSED RULE

NAME OF AGENCY: Department of Law Enforcement

Division or Board: Criminal Justice Standards and Training Commission

Rule Chapter: 11B-14; Salary Incentive Program

RULE NO.:	RULE TITLE:
11B-14.002	General Program Provisions

PURPOSE AND EFFECT:

Subsection 11B-14.002(2), F.A.C.: Incorporates the revised Training Report, form CJSTC-67, to change the rule reference and update where the original and/or copy of the form should be maintained.

Paragraph 11B-14.002(6)(b), F.A.C.: Incorporates the revised Higher Education for Salary Incentive Report, form CJSTC-63, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

SUMMARY:

Revised Training Report, form CJSTC-67; and Higher Education for Salary Incentive Report, form CJSTC-63.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

OTHER RULES INCORPORATING THIS RULE: N/A. EFFECT ON THOSE OTHER RULES: N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1), 943.22(2)(h) FS.

LAW IMPLEMENTED: 943.22 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Friday, January 10, 2025, at 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

AMERICANS WITH DISABILITIES ACT: Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting:

Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:

Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bureau Chief Glen Hopkins

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 4, 2024

THE FULL TEXT OF THE PROPOSED RULE IS:

**11B-14.002 General Program Provisions.**

(1) No change.

(2) Career Development Training Program Course, as defined in subsection 11B-14.001(1), F.A.C., and Advanced Training Program Course, as defined in subsection 11B-14.001(3), F.A.C., that have been successfully completed, as defined in subsection 11B-14.001(9), F.A.C., by eligible officers, shall be verified by the training center director or designee, as defined in paragraph 11B-21.005(8)(a), F.A.C. To verify successful completion of a Commission-approved Advanced or Career Development Training Program Course and to authorize salary incentive payments, a Training Report, form CJSTC-67, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~November 5, 2015, effective 9/2016,~~ hereby incorporated by reference, ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-07373>~~, shall be electronically transmitted to Commission staff through the Commission's ATMS. Form CJSTC-67 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx> or by contacting Commission staff at (850) 410-8615.

(3) through (5) No change.

(6) Educational Salary Incentive Payments.

(a) No change.

(b) The employing agency is responsible for ensuring that the documents submitted for educational salary incentive payments are authentic and accurately reflect the credit given for academic courses successfully completed by the officer, and shall submit or electronically transmit to Commission staff through the Commission's ATMS a completed Higher Education for Salary Incentive Report, form CJSTC-63, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021,~~ hereby incorporated by reference, ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-13122>~~, Form CJSTC-63 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(c) through (d) No change.

(7) through (15) No change.

Rulemaking Authority 943.03(4), 943.12(1), 943.22(2)(h) FS. Law Implemented 943.22 FS. History-- New 10-16-78, Amended 9-11-79, 1-13-81, 5-16-83, 1-7-85, Formerly 11B-14.02, Amended 7-13-87, 9-3-87, 5-23-88, 5-14-92, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 3-13-13, 7-29-15, 9-4-16, 7-19-17, 5-20-21, \_\_\_\_\_.

STATE OF FLORIDA  
DEPARTMENT OF LAW ENFORCEMENT  
CHAPTER 11B-18, FLORIDA ADMINISTRATIVE CODE  
AMENDING RULE 11B-18.0053

CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND

SUMMARY OF THE RULE

Amends use of Officer Training Monies.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

11B-18.0053(3)(a): Includes rule text to allow personnel to attend courses funded with Officer Training Monies on a space available basis provided the personnel does not displace a Florida certified officer.

11B-18.0053(3)(a)1.: Amends rule text to remove Officer Training Monies on a space available basis which is now included in Rule 11B-18.0053(3)(a), F.A.C.

11B-18.0053(3)(a)3.: Amends rule text to remove Officer Training Monies on a space available basis which is now included in Rule 11B-18.0053(3)(a), F.A.C.

11B-18.0053(3)(a)4., F.A.C.: Provides training opportunities for consolidated dispatch agency personnel who provide direct support to criminal justice agencies.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND

LEGISLATIVE RATIFICATION

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

#### FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

#### SUMMARY OF HEARING

No requests for a public hearing or written comments have been received.



NOTICE OF PROPOSED RULE

NAME OF AGENCY: Department of Law Enforcement

Division or Board: Criminal Justice Standards and Training Commission

Rule Chapter: 11B-18; Criminal Justice Standards and Training Trust Fund

RULE NO.: RULE TITLE:

11B-18.0053 Officer Training Monies Budget and Expenditure Categories

PURPOSE AND EFFECT:

Paragraph 11B-18.0053(3)(a), F.A.C.: Includes rule text to allow personnel to attend courses funded with Officer Training Monies on a space available basis provided the personnel does not displace a Florida certified officer.

Sub-paragraph 11B-18.0053(3)(a)1., F.A.C.: Amends rule text to remove Officer Training Monies on a space available basis which is now included in Rule 11B-18.0053(3)(a), F.A.C.

Sub-paragraph 11B-18.0053(3)(a)3., F.A.C.: Amends rule text to remove Officer Training Monies on a space available basis which is now included in Rule 11B-18.0053(3)(a), F.A.C.

Sub-paragraph 11B-18.0053(3)(a)4., F.A.C.: Provides training opportunities for consolidated dispatch agency personnel who provide direct support to criminal justice agencies.

SUMMARY:

Officer Training Monies.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

OTHER RULES INCORPORATING THIS RULE: N/A. EFFECT ON THOSE OTHER RULES: N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1), (2), 943.25(2), (4), (5) FS.

LAW IMPLEMENTED: 943.25 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Friday, January 10, 2025, at 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

AMERICANS WITH DISABILITIES ACT: Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting:

Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:

Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bureau Chief Glen Hopkins

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 4, 2024

THE FULL TEXT OF THE PROPOSED RULE IS:

**11B-18.0053 Officer Training Monies Budget and Expenditure Categories.**

(1) through (2) No change.

(3) Category II, Training Expenses. Each region shall not budget less than 80% of the total regional allocation of Officer Training Monies for the purpose of delivering regional Commission-approved Advanced and Specialized Training Program Courses.

(a) Criminal justice officers and support personnel, pursuant to [Section 943.10, F.S.](#), are authorized to expend Officer Training Monies to attend Advanced and Specialized Training Program Courses delivered through a Commission-certified training school, provided the support personnel does not displace a certified officer. The Criminal Justice Standards and Training Commission has further authorized the following personnel to attend courses funded with Officer Training Monies on a space available basis, provided the personnel does not displace a Florida certified officer:

1. A sworn federal officer, ~~on a space available basis provided the officer does not displace a Florida officer.~~
2. No change.
3. Full-time staff and part-time instructional coordinators employed by a Commission-certified training school ~~on a space available basis provided the staff does not displace a Florida officer.~~
4. Members of consolidated dispatch agencies that provide direct support to local or state law enforcement agencies. Department of Financial Services, Division of Investigative and Forensic Services, on a space available basis, provided a Florida officer is not displaced.

(b) through (e) No change.

(4) No change.

Rulemaking Authority [943.03\(4\)](#), [943.12\(1\)](#), [\(2\)](#), [943.25\(2\)](#), [\(4\)](#), [\(5\) FS](#). Law Implemented [943.25 FS](#). History-New 11-5-02. Amended 11-30-04, 6-3-10, 3-13-13, 9-4-16, 6-9-20, 8-30-23,\_\_\_\_\_.

STATE OF FLORIDA

DEPARTMENT OF LAW ENFORCEMENT

CHAPTER 11B-20, FLORIDA ADMINISTRATIVE CODE

AMENDING RULES 11B-20.001, 11B-20.0013, 11B-20.0014, 11B-20.0016, and 11B-20.0017

CERTIFICATION OF CRIMINAL JUSTICE TRAINING INSTRUCTORS

SUMMARY OF THE RULE

Revises Training Report, form CJSTC-67; Instructor Certification Application, form CJSTC-71; Instructor Competency Checklist, form CJSTC-81; Affidavit of Separation, form CJSTC-61; Internal Investigation Report, form CJSTC-78; Canine Team Instructor Performance Evaluation, form CJSTC-20; Instructor Certification Deficiency Notification, form CJSTC-271; and Instructor Compliance Application, form CJSTC-84; Handgun Instructor Certification; Handgun Instructor Course; Commission-approved High-Liability Instructor Certifications; Patrol Rifle Instructor Certification; Shotgun Instructor Certification; “firearms” to “handgun” term changes; and form maintenance.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

11B-20.001(1)(a): Incorporates the revised Training Report, form CJSTC-67, to change the rule reference and update where the original and/or copy of the form should be maintained.

11B-20.001(2)(a): Incorporates the revised Instructor Certification Application, form CJSTC-71, to update the certification categories to change Firearms to Handgun, add Shotgun and Patrol rifle, and update where the original and/or copy of the form should be maintained.

11B-20.001(3)(a)3.a.: Incorporates the revised Instructor Competency Checklist, form CJSTC-81, to update the instructor certification categories and instructor student internship requirements to change Firearms to Handgun and remove Diving.

11B-20.001(3)(a)5.a.: Incorporates the revised Affidavit of Separation, form CJSTC-61, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

11B-20.001(3)(a)5.b.: Incorporates the revised Internal Investigation Report, form CJSTC-78, to add the officer's email address.

11B-20.0013(2)(b): Changes the name of the Firearms Instructor Certification to reflect Handgun Instructor Certification to comply with firearms standards.

11B-20.0013(2)(e): Adds Patrol Rifle Instructor Certification to the list of Commission-approved High-Liability Instructor Certifications.

11B-20.0013(2)(f): Adds Shotgun Instructor Certification to the list of Commission-approved High-Liability Instructor Certifications.

11B-20.0014(1)(d): Incorporates the revised Instructor Competency Checklist, form CJSTC-81, to update the instructor certification categories and instructor student internship requirements to change Firearms to Handgun and remove Diving.

11B-20.0014(2)(b): Changes the name of the Firearms Instructor Certification to reflect Handgun Instructor Certification to comply with firearms standards.

11B-20.0014(2)(b)2.: Changes the name of the Firearms Instructor Course to reflect Handgun Instructor Course to comply with firearms standards.

11B-20.0014(2)(b)3.: Changes the name of the Firearms Instructor Course to reflect Handgun Instructor Course to comply with firearms standards.

11B-20.0014(2)(e)-(f): Adds Patrol Rifle Instructor Certification and Shotgun Instructor Certification as Commission-approved High Liability Instructor Certification courses.

11B-20.0014(3)(c)5.: Incorporates the revised Canine Team Instructor Performance Evaluation, form CJSTC-20, to change the rule reference and update where the original and/or copy of the form should be maintained.

11B-20.0016(2): Incorporates the revised Instructor Certification Deficiency Notification, form CJSTC-271, to update where the original and/or copy of the form should be maintained.

11B-20.0017: Incorporates the revised Instructor Compliance Application, form CJSTC-84, to update the Maintenance of High-Liability Certification category and the Continuing Training and Education requirements to change the rule reference, change Firearms to Handgun, and add Patrol Rifle and Shotgun to both tables; and update where the original and/or copy of the form should be maintained.

#### SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

### FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

### SUMMARY OF HEARING

Pending: No requests for a public hearing or written comments have been received.



## NOTICE OF PROPOSED RULE

NAME OF AGENCY: Department of Law Enforcement

Division or Board: Criminal Justice Standards and Training Commission

Rule Chapter: 11B-20; Certification of Criminal Justice Training Instructors

RULE NO.:	RULE TITLE:
11B-20.001	Definitions and Minimum Requirements for General Certification of Instructors
11B-20.0013	Commission Instructor Certification Categories
11B-20.0014	Minimum Requirements for High-Liability and Specialized Instructor Certifications
11B-20.0016	Inspection of Instructor Certification Applications
11B-20.0017	Maintenance and Duration of Instructor Certifications

PURPOSE AND EFFECT:
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Paragraph 11B-20.001(1)(a), F.A.C.: Incorporates the revised Training Report, form CJSTC-67, to change the rule reference and update where the original and/or copy of the form should be maintained.

Paragraph 11B-20.001(2)(a), F.A.C.: Incorporates the revised Instructor Certification Application, form CJSTC-71, to update the certification categories to change Firearms to Handgun, add Shotgun and Patrol rifle, and update where the original and/or copy of the form should be maintained.

Sub-subparagraph 11B-20.001(3)(a)3.a., F.A.C.: Incorporates the revised Instructor Competency Checklist, form CJSTC-81, to update the instructor certification categories and instructor student internship requirements to change Firearms to Handgun and remove Diving.

Sub-subparagraph 11B-20.001(3)(a)5.a., F.A.C.: Incorporates the revised Affidavit of Separation, form CJSTC-61, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

Sub-subparagraph 11B-20.001(3)(a)5.b., F.A.C.: Incorporates the revised Internal Investigation Report, form CJSTC-78, to add the officer's email address.

Paragraph 11B-20.0013(2)(b), F.A.C.: Changes the name of the Firearms Instructor Certification to reflect Handgun Instructor Certification to comply with firearms standards.

Paragraph 11B-20.0013(2)(e), F.A.C.: Adds Patrol Rifle Instructor Certification to the list of Commission-approved High-Liability Instructor Certifications.

Paragraph 11B-20.0013(2)(f), F.A.C.: Adds Shotgun Instructor Certification to the list of Commission-approved High-Liability Instructor Certifications.

Paragraph 11B-20.0014(1)(d), F.A.C.: Incorporates the revised Instructor Competency Checklist, form CJSTC-81, to update the instructor certification categories and instructor student internship requirements to change Firearms to Handgun and remove Diving.

Paragraph 11B-20.0014(2)(b), F.A.C.: Changes the name of the Firearms Instructor Certification to reflect Handgun Instructor Certification to comply with firearms standards.

Sub-paragraph 11B-20.0014(2)(b)2., F.A.C.: Changes the name of the Firearms Instructor Course to reflect Handgun Instructor Course to comply with firearms standards.

Sub-paragraph 11B-20.0014(2)(b)3., F.A.C.: Changes the name of the Firearms Instructor Course to reflect Handgun Instructor Course to comply with firearms standards.

Paragraph 11B-20.0014(2)(e)-(f), F.A.C.: Adds Patrol Rifle Instructor Certification and Shotgun Instructor Certification as Commission-approved High Liability Instructor Certification courses.

Sub-paragraph 11B-20.0014(3)(c)5., F.A.C.: Incorporates the revised Canine Team Instructor Performance Evaluation, form CJSTC-20, to change the rule reference and update where the original and/or copy of the form should be maintained.

Subsection 11B-20.0016(2), F.A.C.: Incorporates the revised Instructor Certification Deficiency Notification, form CJSTC-271, to update where the original and/or copy of the form should be maintained.

Rule 11B-20.0017, F.A.C.: Incorporates the revised Instructor Compliance Application, form CJSTC-84, to update the Maintenance of High-Liability Certification category and the Continuing Training and Education requirements to change the rule reference, change Firearms to Handgun, and add Patrol Rifle and Shotgun to both tables; and update where the original and/or copy of the form should be maintained.

**SUMMARY:**

Revised Training Report, form CJSTC-67; Instructor Certification Application, form CJSTC-71; Instructor Competency Checklist, form CJSTC-81; Affidavit of Separation, form CJSTC-61; Internal Investigation Report, form CJSTC-78; Canine Team Instructor Performance Evaluation, form CJSTC-20; Instructor Certification Deficiency Notification, form CJSTC-271; and Instructor Compliance Application, form CJSTC-84; Handgun Instructor Certification; Handgun Instructor Course; Commission-approved High-Liability Instructor Certifications; Patrol Rifle Instructor Certification; Shotgun Instructor Certification; “firearms” to “handgun” term changes; and form maintenance.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

**OTHER RULES INCORPORATING THIS RULE:** N/A. **EFFECT ON THOSE OTHER RULES:** N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 120.60(1), 943.03(4), 943.12(1), 943.14(3) FS.

**LAW IMPLEMENTED:** 120.60(1), 943.12(3), (9), 943.13(6), 943.14(3), 943.17 FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):**

**DATE AND TIME:** Friday, January 10, 2025 at 10:00 a.m.

**PLACE:** Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

**AMERICANS WITH DISABILITIES ACT:** Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting:

Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:**

Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bureau Chief Glen Hopkins

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 4, 2024

THE FULL TEXT OF THE PROPOSED RULE IS:

**11B-20.001 Definitions and Minimum Requirements for General Certification of Instructors.**

(1) Definitions:

(a) "Successful completion" of a course is documented as a "Pass" on the completed Training Report, form CJSTC-67, revised \_\_\_\_\_, effective ~~November 5, 2015, effective 9/2016~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-07374>. Form CJSTC-67 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(b) through (j) No change.

(2) Instructor applicants applying for instructor certification shall:

(a) Complete the Instructor Certification Application, form CJSTC-71, revised \_\_\_\_\_, effective ~~August 10, 2023, effective 6/2024~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-16652>. Form CJSTC-71 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615;

(b) through (c) No change.

(3) General Instructor Certification.

(a) Instructor applicants shall comply with the following requirements to obtain General Instructor Certification:

1. through 2. No change.

3. After successful completion of the mandatory instructor training, instructor applicants shall complete an internship.

a. The instructor applicant shall be supervised by and have his or her instructional abilities evaluated by a training center director or agency administrator, who is currently an instructor, or a designee who is currently an instructor. The training center director, agency administrator, or designee shall complete the Instructor Competency Checklist, form CJSTC-81, revised \_\_\_\_\_, effective ~~August 10, 2023, effective 6/2024~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-16653>. Form CJSTC-81 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

b. through c. No change.

4. No change.

5. Instructor Separation or Change of Affiliation.

a. When an instructor requests a change of affiliation, the training center director, agency administrator, or designee shall complete an Affidavit of Separation, form CJSTC-61, revised \_\_\_\_\_, effective ~~August 18, 2022, effective 8/2023~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-15515>, and submit to Commission staff, or immediately transmit through the Commission's ATMS. Form CJSTC-61 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615. A copy shall be maintained in the instructor's file.

b. Instructor Separation. When a training center director, agency administrator, or designee separates an instructor, the training center director, agency administrator, or designee shall notify the instructor of the separation and submit form CJSTC-61 to Commission staff or electronically transmit through the Commission's ATMS. A copy of form CJSTC-61 shall be maintained in the Instructor's file. An instructor's certification shall become inactive upon separation and remain inactive until the instructor is affiliated with a training school or agency. If the separation involves a violation of Section 943.13(4), F.S., or moral character violation, the training center director, agency

administrator, or designee shall also complete the Internal Investigation Report form CJSTC-78, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021,~~ hereby incorporated by reference ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-13124>~~, and form CJSTC-61, and submit to Commission staff or immediately transmit through the Commission's ATMS. Form CJSTC-78 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

c. No change.

(b) through (c) No change.

(4) through (6) No change.

Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.14(3) FS. History—New 7-21-82, Formerly 11B-20.01, Amended 10-26-88, 5-14-92, 12-8-92, 1-10-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 7-9-19, 5-20-21, 6-23-22, 8-30-23, ~~6-20-24,~~\_\_\_\_\_.

#### **11B-20.0013 Commission Instructor Certification Categories.**

Except as otherwise provided in this rule section or by law, individuals who instruct training courses pursuant to Rule Chapter 11B-35, F.A.C., at or through a training school, shall be certified by the Criminal Justice Standards and Training Commission. The Commission offers the following categories of certification to instructor applicants:

(1) No change.

(2) High-Liability Instructor Certifications.

(a) No change.

(b) Handgun ~~Firearms~~ Instructor Certification.

(c) through (d) No change.

(e) Patrol Rifle Instructor Certification.

(f) Shotgun Instructor Certification.

(3) No change.

Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.14(3), 943.17 FS. History—New 7-29-01, Amended 11-5-02, 11-30-04, 3-21-07, 6-9-08, 5-29-14, 6-20-24,\_\_\_\_\_.

#### **11B-20.0014 Minimum Requirements for High-Liability and Specialized Instructor Certifications.**

(1) High-Liability Topics Instructor Certification. Instructor applicants shall comply with the following requirements for certification:

(a) through (c) No change.

(d) Be evaluated by his or her students. Student evaluation shall be reviewed with the instructor applicant by a training center director, agency administrator, or an instructor designated by the training center director or agency administrator and documented on the Instructor Competency Checklist form CJSTC-81, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 10, 2023, effective 6/2024,~~ hereby incorporated by reference ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-16654>~~.

(e) through (f) No change.

(2) High-Liability Instructor Topics.

(a) No change.

(b) Handgun ~~Firearms~~ Instructor Certification. Instructor applicants who request to obtain certification to instruct handgun ~~firearms~~ topics shall:

1. No change.

2. Have successfully completed through a training school the Handgun Firearms Instructor Course (formerly Firearms Instructor Course); and

3. Following completion of the Handgun Firearms Instructor Course, have successfully completed a high-liability internship documented on the Instructor Competency Checklist form CJSTC-81 that is supervised by a certified handgun firearms instructor.

(c) Defensive Tactics Instructor Certification. Instructor applicants who request to obtain certification to instruct defensive tactics topics shall:

1. Comply with the requirements for General Instructor Certification pursuant to subsection 11B-20.001(3), F.A.C.; and

2. Have successfully completed through a training school the Defensive Tactics Instructor Course which began on or after October 31, 2019 or completed through a training school the Defensive Tactics Instructor Course which began prior to October 31, 2019 and the Defensive Tactics Instructor Update course; and

3. Following successful completion of the Defensive Tactics Instructor Course, have successfully completed a high-liability internship documented on the Instructor Competency Checklist form CJSTC-81 that is supervised by a certified defensive tactics instructor.

(d) No change.

(e) Patrol Rifle Instructor Certification. Instructor applicants who request to obtain certification to instruct patrol rifle topics shall:

1. Comply with the requirements for General Instructor Certification pursuant to subsection 11B-20.001(3), F.A.C.; and

2. Comply with the requirements for Handgun Instructor Certification pursuant to subsection 11B-20.0014(2)(b), F.A.C.; and

3. Have successfully completed through a training school the Patrol Rifle Instructor Course.

(f) Shotgun Instructor Certification. Instructor applicants who request to obtain certification to instruct shotgun topics shall:

1. Comply with the requirements for General Instructor Certification pursuant to subsection 11B-20.001(3), F.A.C.; and

2. Comply with the requirements for Handgun Instructor Certification pursuant to subsection 11B-20.0014(2)(b), F.A.C.; and

3. Have successfully completed through a training school the Shotgun Instructor Course.

(3) Specialized Instructor Certifications. Instructor applicants who apply for a Specialized Instructor Certification shall have completed the applicable specialized instructor course within four years of the date the instructor applicant applies for certification. Instructor applicants who apply for a Specialized Instructor Certification more than four years from the date training was completed shall meet the requirements for completing an internship and demonstration of proficiency skills if applicable to the specialized topic. Instructor applicants shall meet the following requirements for each Specialized Instructor Certification requested:

(a) through (b) No change.

(c) Canine Team Instructor Certification. Instructor applicants who request to obtain certification to instruct Commission-approved canine team training courses shall:

1. through 4. No change.

5. Complete the Canine Team Instructor Performance Evaluation, form CJSTC-20, revised \_\_\_\_\_, effective \_\_\_\_\_ August 13, 2020, effective 5/2021, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-13127>. Form CJSTC-20 can be obtained at the following <http://www.flrules.org/Gateway/reference.asp?No=Ref-13127>.

FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

6. through 8. No change.

(d) through (e) No change.

Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.13(6), 943.14(3) FS. History—New 7-29-01, Amended 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 7-9-19, 5-20-21, 6-23-22, 8-30-23, 6-20-24, \_\_\_\_\_.

**11B-20.0016 Inspection of Instructor Certification Applications.**

(1) No change.

(2) If the instructor applicant's file at the training school or agency is missing documentation or contains deficient documentation, the instructor applicant and the training school or agency shall be notified of such documentation on the Instructor Certification Deficiency Notification, form CJSTC-271, revised \_\_\_\_\_, effective \_\_\_\_\_, August 10, 2023, effective 6/2024, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-16655>. Form CJSTC-271 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(3) through (4) No change.

Rulemaking Authority 120.60(1), 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 120.60(1), 943.12(3), (9), 943.14(3) FS. History—New 7-29-01, Amended 11-5-02, 11-30-04, 3-27-06, 6-9-08, 3-13-13, 7-29-15, 9-4-16, 6-20-24, \_\_\_\_\_.

**11B-20.0017 Maintenance and Duration of Instructor Certifications.** Documentation for instructors shall be maintained in the instructor's file at the respective training school or agency. Additionally, the training school or agency shall submit or transmit to Commission staff, through the Commission's ATMS, an Instructor Compliance Application, form CJSTC-84, revised \_\_\_\_\_, effective \_\_\_\_\_, August 10, 2023, effective 6/2024, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-16656>, to verify compliance with the mandatory retraining requirements. Form CJSTC-84 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(1) through (9) No change.

Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), 943.14(3) FS. History—New 7-29-01, Amended 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 6-23-22, 6-20-24, \_\_\_\_\_.



STATE OF FLORIDA  
DEPARTMENT OF LAW ENFORCEMENT  
CHAPTER 11B-21, FLORIDA ADMINISTRATIVE CODE  
AMENDING RULES 11B-21.005 AND 11B-21.019  
CERTIFICATION OF CRIMINAL JUSTICE TRAINING SCHOOLS  
SUMMARY OF THE RULE

Revises Training School Classroom Facility Requirements, form CJSTC-205; Driving Range Facility and Equipment Requirements, form CJSTC-202; Defensive Tactics Facility and Equipment Requirements, form CJSTC-203; Firing Range Facility and Equipment Requirements, form CJSTC-201; First Aid Instructional Requirements, form CJSTC-208; Staffing Requirements, form CJSTC-204; Training School Contact Report, form CJSTC-200; and Non-Compliance Follow-up Report, form CJSTC-206; and firearms training.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

11B-21.005(3): Incorporates the revised Training School Classroom Facility Requirements, form CJSTC-205, to remove the list of specified instructional aid equipment for each classroom and update where the original and/or copy of the form should be maintained.

11B-21.005(4)(a): Incorporates the revised Driving Range Facility and Equipment Requirements, form CJSTC-202, to update where the original and/or copy of the form should be maintained.

11B-21.005(5): Incorporates the revised Defensive Tactics Facility and Equipment Requirements, form CJSTC-203, to update where the original and/or copy of the form should be maintained.

11B-21.005(6): Updates the requirement that firearms training be supervised directly by a Commission-certified handgun, rifle, or shotgun instructor, as appropriate; and incorporates the Firing Range Facility and Equipment Requirements, form CJSTC-201, to update where the original and/or copy of the form should be maintained.

11B-21.005(7): Incorporates the revised First Aid Instructional Requirements, form CJSTC-208, to update where the original and/or copy of the form should be maintained.

11B-21.005(8): Incorporates the revised Staffing Requirements, form CJSTC-204, to update where the original and/or copy of the form should be maintained.

11B-21.019(2)(a): Incorporates the revised Training School Contact Report, form CJSTC-200, to update where the original and/or copy of the form should be maintained.

11B-21.019(4): Incorporates the revised Non-Compliance Follow-up Report, form CJSTC-206, to update where the original and/or copy of the form should be maintained.

#### SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative

ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

SUMMARY OF HEARING

No requests for a public hearing or written comments have been received.

## NOTICE OF PROPOSED RULE

NAME OF AGENCY: Department of Law Enforcement

Division or Board: Criminal Justice Standards and Training Commission

Rule Chapter: 11B-21; Certification of Criminal Justice Training Schools

RULE NO.:	RULE TITLE:
11B-21.005	Criminal Justice Training School Requirements for Certification and Re-Certification
11B-21.019	Criminal Justice Training School Inspections

### PURPOSE AND EFFECT:

Subsection 11B-21.005(3), F.A.C.: Incorporates the revised Training School Classroom Facility Requirements, form CJSTC-205, to remove the list of specified instructional aid equipment for each classroom and update where the original and/or copy of the form should be maintained.

Paragraph 11B-21.005(4)(a), F.A.C.: Incorporates the revised Driving Range Facility and Equipment Requirements, form CJSTC-202, to update where the original and/or copy of the form should be maintained.

Subsection 11B-21.005(5), F.A.C.: Incorporates the revised Defensive Tactics Facility and Equipment Requirements, form CJSTC-203, to update where the original and/or copy of the form should be maintained.

Subsection 11B-21.005(6), F.A.C.: Updates the requirement that firearms training be supervised directly by a Commission-certified handgun, rifle, or shotgun instructor, as appropriate; and incorporates the Firing Range Facility and Equipment Requirements, form CJSTC-201, to update where the original and/or copy of the form should be maintained.

Subsection 11B-21.005(7), F.A.C.: Incorporates the revised First Aid Instructional Requirements, form CJSTC-208, to update where the original and/or copy of the form should be maintained.

Subsection 11B-21.005(8), F.A.C.: Incorporates the revised Staffing Requirements, form CJSTC-204, to update where the original and/or copy of the form should be maintained.

Paragraph 11B-21.019(2)(a), F.A.C.: Incorporates the revised Training School Contact Report, form CJSTC-200, to update where the original and/or copy of the form should be maintained.

Subsection 11B-21.019(4), F.A.C.: Incorporates the revised Non-Compliance Follow-up Report, form CJSTC-206, to update where the original and/or copy of the form should be maintained.

### SUMMARY:

Revised Training School Classroom Facility Requirements, form CJSTC-205; Driving Range Facility and Equipment Requirements, form CJSTC-202; Defensive Tactics Facility and Equipment Requirements, form CJSTC-203; Firing Range Facility and Equipment Requirements, form CJSTC-201; First Aid Instructional Requirements, form CJSTC-208; Staffing Requirements, form CJSTC-204; Training School Contact Report, form CJSTC-200; and Non-Compliance Follow-up Report, form CJSTC-206; and firearms training.

### SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE

RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

OTHER RULES INCORPORATING THIS RULE: N/A. EFFECT ON THOSE OTHER RULES: N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 943.03(4), 943.12(1), (2) FS.

**LAW IMPLEMENTED:** 943.12(2), (3), (8), 943.14, 943.17(1)(g) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

**DATE AND TIME:** Friday, January 10, 2025, at 10:00 a.m.

**PLACE:** Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

**AMERICANS WITH DISABILITIES ACT:** Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting:

Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:**

Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Bureau Chief Glen Hopkins

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Governor and Cabinet

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 17, 2024

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** November 4, 2024

THE FULL TEXT OF THE PROPOSED RULE IS:

**11B-21.005 Criminal Justice Training School Requirements for Certification and Re-certification.**

Training Schools certified by the Commission shall comply with the following requirements:

(1) through (2) No change.

(3) Classroom Facility and Equipment Requirements. Comply with the classroom facility and equipment requirements set forth in the Training School Classroom Facility Requirements, form CJSTC-205, revised \_\_\_\_\_, effective \_\_\_\_\_ ~~October 30, 2008~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref->\_\_\_\_\_. Form CJSTC-205 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(4) Driving Range Facility, Equipment, and Instructor to Student Ratio Requirements.

(a) When conducting Commission-approved vehicle operations training, comply with the driving range facility, equipment, and instructor to student ratio requirements set forth in subsection 11B-35.0021(8), F.A.C., and in the Driving Range Facility and Equipment Requirements, form CJSTC-202, revised \_\_\_\_\_, effective \_\_\_\_\_ ~~August 10, 2023, effective 6/2024~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref->\_\_\_\_\_. <https://www.flrules.org/Gateway/reference.asp?No=Ref-16657>. Form CJSTC-202 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) No change.

(5) Defensive Tactics Facility, Equipment, and Instructor to Student Ratio Requirements. When conducting Commission-approved defensive tactics training, comply with the defensive tactics equipment, facility, and instructor to student ratio requirements set forth in subsection 11B-35.0021(8), F.A.C., and in the Defensive Tactics Facility and Equipment Requirements, form CJSTC-203, revised \_\_\_\_\_, effective \_\_\_\_\_ ~~August 10, 2023, effective 6/2024~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref->\_\_\_\_\_. <https://www.flrules.org/Gateway/reference.asp?No=Ref-16658>. Form CJSTC-203 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(6) Firing Range Facility, Equipment, and Instructor to Student Ratio Requirements. When conducting Commission-approved firearms training, comply with the firing range equipment, facility, and instructor to student ratio requirements set forth in subsection 11B-35.0021(8), F.A.C., and in the Firing Range Facility and Equipment Requirements, form CJSTC-201, revised \_\_\_\_\_, effective \_\_\_\_\_ ~~August 10, 2023, effective 6/2024~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref->\_\_\_\_\_. <https://www.flrules.org/Gateway/reference.asp?No=Ref-16659>. Form CJSTC-201 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. Firearms training shall be supervised directly by a Commission-certified handgun, rifle, or shotgun ~~firearms~~ instructor, as appropriate, and the instructor shall have access to at least one firearms range designed for criminal justice firearms instruction.

(7) First Aid Facility, Equipment, and Instructor to Student Ratio Requirements. When conducting Commission-approved first aid training, comply with the first aid equipment, facility, and instructor to student ratio requirements set forth in subsection 11B-35.0021(8), F.A.C., and in the First Aid Instructional Requirements, form CJSTC-208, revised \_\_\_\_\_, effective \_\_\_\_\_ ~~August 10, 2023, effective 6/2024~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref->\_\_\_\_\_. <https://www.flrules.org/Gateway/reference.asp?No=Ref-16660>. Form CJSTC-208 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(8) Staffing Requirements. Comply with the personnel requirements set forth in the Staffing Requirements, form CJSTC-204, revised \_\_\_\_\_, effective \_\_\_\_\_ ~~October 30, 2008~~, hereby incorporated by reference

<https://www.flrules.org/Gateway/reference.asp?No=Ref->\_\_\_\_\_. Form CJSTC-204 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. The following specifications shall be met:

(a) through (c) No change.

(9) through (12) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(2), (3), (8), 943.14, 943.17(1)(g) FS. History—New 7-21-82, Formerly 11B-21.05, Amended 1-28-86, 8-30-89, 12-24-89, 6-3-91, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 5-21-12, 3-13-13, 5-29-14, 9-4-16, 8-15-18, 5-20-21, 6-23-22, 8-30-23, 6-20-24,\_\_\_\_\_.

**11B-21.019 Criminal Justice Training School Inspections.** Section 943.12(3), F.S., authorizes the Criminal Justice Standards and Training Commission to issue certificates to criminal justice training schools. These training schools shall abide by the requirements for administration and instruction of Commission-approved training pursuant to Rule Chapters 11B-21 and 11B-35, F.A.C.

(1) No change.

(2) Random inspections shall be conducted by Commission staff of classroom facilities, courses in session, staffing requirements, statute and rule compliance, and shall be documented on the following applicable form(s):

(a) Training School Contact Report, form CJSTC-200, revised \_\_\_\_\_, effective \_\_\_\_\_ ~~November 8, 2007~~, hereby incorporated by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref->\_\_\_\_\_. Form CJSTC-200 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) through (c) No change.

(3) No change.

(4) Commission staff shall conduct a re-inspection of the areas of non-compliance that were recorded on the form(s) to ensure corrective action has taken place and shall complete a Non-Compliance Follow-up Report, form CJSTC-206, revised \_\_\_\_\_, effective \_\_\_\_\_ ~~May 6, 2004~~, hereby incorporated by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref->\_\_\_\_\_. Form CJSTC-206 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(5) through (6) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(3), 943.14 FS. History—New, 11-5-02, Amended 11-30-04, 6-9-08, 9-4-16,\_\_\_\_\_.

STATE OF FLORIDA

DEPARTMENT OF LAW ENFORCEMENT

CHAPTER 11B-27, FLORIDA ADMINISTRATIVE CODE

AMENDING RULES 11B-27.002, 11B-27.00212, 11B-27.00213, 11B-27.0022, 11B-27.003,  
11B-27.013 AND 11B-27.014

CERTIFICATION AND EMPLOYMENT OR APPOINTMENT

SUMMARY OF THE RULE

Revises Affidavit of Applicant, form CJSTC-68; Registration of Employment Affidavit of Compliance, form CJSTC-60; Officer Certification Application, form CJSTC-59; Employment Background Investigative Report, form CJSTC-77; Temporary Employment Authorization Statement, form CJSTC-65; Exemption-From-Training, form CJSTC-76; Exemption-From-Training Proficiency Demonstration, form CJSTC-76A; Affidavit of Separation, form CJSTC-61; Mandatory Retraining Report, form CJSTC-74; Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A; Handgun Performance Evaluation, form CJSTC-4; Authority for Release of Information, form CJSTC-58; Internal Investigation Report, form CJSTC-78; Canine Team Certification Application, form CJSTC-70; Canine Team Performance Evaluation, form CJSTC-83; Canine Team Certification Deficiency Notification, form CJSTC-270; “firearms” to “handgun” term changes; law enforcement officer training requirement; and forms maintenance.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

11B-27.002(1)(f): Incorporates the revised Affidavit of Applicant, form CJSTC-68, to remove the note requiring private correctional facilities to submit the form.



11B-27.002(2): Incorporates the revised Registration of Employment Affidavit of Compliance, form CJSTC-60, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

11B-27.002(2)(a): Incorporates the revised Officer Certification Application, form CJSTC-59, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

11B-27.002(3)(a)2.: Incorporates the revised Employment Background Investigative Report, form CJSTC-77, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

11B-27.002(3)(a)4.: Incorporates the revised Temporary Employment Authorization Statement, form CJSTC-65, to update where the original and/or copy of the form should be maintained.

11B-27.002(3)(a)11.: Incorporates the revised Exemption-From-Training, form CJSTC-76, and the Exemption-From-Training Proficiency Demonstration, form CJSTC-76A, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

11B-27.002(3)(a)15.: Incorporates the revised Affidavit of Separation, form CJSTC-61, to update where the original and/or copy of the form should be maintained and change the

Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

11B-27.00212(4): Incorporates the revised Mandatory Retraining Report, form CJSTC-74, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

11B-27.00212(14): Incorporates the revised Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A, to update where the original and/or copy of the form should be maintained.

11B-27.00212(18)(c): Changes the statutory cite to reflect the correct statute.

11B-27.00212(19): Adds the training requirement for law enforcement officers to complete training on administering lethality assessments and outlines the effect of failing to complete the training by the identified deadline. This resulted from the Florida Legislature's change to s. 741.29, F.S., during the 2024 Legislative Session.

11B-27.00213(1)(a)2.: Updates the rule language to indicate individuals employed or appointed on a pre-training TEA must demonstrate proficiency in the presence of a Commission-certified "handgun" instructor, formerly a Commission-certified "firearms" instructor.

11B-27.00213(2)(b): Incorporates the revised Handgun Performance Evaluation, form CJSTC-4.

11B-27.0022(2)(a): Incorporates the revised Authority for Release of Information, form CJSTC-58, to update where the original and/or copy of the form should be maintained.

11B-27.003(2)(a): Incorporates the revised Internal Investigation Report, form CJSTC-78, to add the officer's email address.

11B-27.013(2)(e): Incorporates the revised Canine Team Certification Application, form CJSTC-70, to update where the original and/or copy of the form should be maintained.

11B-27.013(3)(c): Incorporates the revised Canine Team Performance Evaluation, form CJSTC-83, to update the rule reference and where the original and/or copy of the form should be maintained.

11B-27.013(6)(a): Incorporates the revised Canine Team Certification Deficiency Notification, form CJSTC-270, to update where the original and/or copy of the form should be maintained.

11B-27.014(2)(a): Updates the course of fire requirements to indicate the range master conducting the course of fire be an active Commission-certified “handgun” instructor instead of “firearms” instructor.

11B-27.014(4)(a)1.: Updates the rule language to change the term from Commission-certified “firearms” instructor to Commission-certified “handgun” instructor which is allowed to request CJSTC-600 forms.

11B-27.014(4)(b): Updates the rule language to change the term from Commission-certified “firearms” instructor to Commission-certified “handgun” instructor which is allowed to request CJSTC-600 forms.

11B-27.014(6): Updates the rule language to change the term from Commission-certified “firearms” instructor to Commission-certified “handgun” instructor.

#### SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate

within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

#### FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

#### SUMMARY OF HEARING

No requests for a public hearing or written comments have been received.

# NOTICE OF PROPOSED RULE

NAME OF AGENCY: Department of Law Enforcement

Division or Board: Criminal Justice Standards and Training Commission

Rule Chapter: 11B-27; Certification and Employment or Appointment

RULE NO.:	RULE TITLE:
11B-27.002	Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers
11B-27.00212	Maintenance of Officer Certification
11B-27.00213	Temporary Employment Authorization
11B-27.0022	Background Investigations
11B-27.003	Duty to Report, Investigations, Procedures
11B-27.013	Canine Team Certification
11B-27.014	Implementation of the Law Enforcement Officers Safety Act of 2004

## PURPOSE AND EFFECT:

Paragraph 11B-27.002(1)(f), F.A.C.: Incorporates the revised Affidavit of Applicant, form CJSTC-68, to remove the note requiring private correctional facilities to submit the form.

Subsection 11B-27.002(2), F.A.C.: Incorporates the revised Registration of Employment Affidavit of Compliance, form CJSTC-60, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

Paragraph 11B-27.002(2)(a), F.A.C.: Incorporates the revised Officer Certification Application, form CJSTC-59, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

Sub-paragraph 11B-27.002(3)(a)2., F.A.C.: Incorporates the revised Employment Background Investigative Report, form CJSTC-77, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

Sub-paragraph 11B-27.002(3)(a)4., F.A.C.: Incorporates the revised Temporary Employment Authorization Statement, form CJSTC-65, to update where the original and/or copy of the form should be maintained.

Sub-paragraph 11B-27.002(3)(a)11., F.A.C.: Incorporates the revised Exemption-From-Training, form CJSTC-76, and the Exemption-From-Training Proficiency Demonstration, form CJSTC-76A, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

Sub-paragraph 11B-27.002(3)(a)15., F.A.C.: Incorporates the revised Affidavit of Separation, form CJSTC-61, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

Subsection 11B-27.00212(4), F.A.C.: Incorporates the revised Mandatory Retraining Report, form CJSTC-74, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

Subsection 11B-27.00212(14), F.A.C.: Incorporates the revised Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A, to update where the original and/or copy of the form should be maintained.

Paragraph 11B-27.00212(18)(c), F.A.C.: Changes the statutory cite to reflect the correct statute.

Subsection 11B-27.00212(19), F.A.C.: Adds the training requirement for law enforcement officers to complete training on administering lethality assessments and outlines the effect of failing to complete the training by the

identified deadline. This resulted from the Florida Legislature's change to s. 741.29, F.S., during the 2024 Legislative Session.

Sub-paragraph 11B-27.00213(1)(a)2., F.A.C.: Updates the rule language to indicate individuals employed or appointed on a pre-training TEA must demonstrate proficiency in the presence of a Commission-certified "handgun" instructor, formerly a Commission-certified "firearms" instructor.

Paragraph 11B-27.00213(2)(b), F.A.C.: Incorporates the revised Handgun Performance Evaluation, form CJSTC-4.

Paragraph 11B-27.0022(2)(a), F.A.C.: Incorporates the revised Authority for Release of Information, form CJSTC-58, to update where the original and/or copy of the form should be maintained.

Paragraph 11B-27.003(2)(a), F.A.C.: Incorporates the revised Internal Investigation Report, form CJSTC-78, to add the officer's email address.

Paragraph 11B-27.013(2)(e), F.A.C.: Incorporates the revised Canine Team Certification Application, form CJSTC-70, to update where the original and/or copy of the form should be maintained.

Paragraph 11B-27.013(3)(c), F.A.C.: Incorporates the revised Canine Team Performance Evaluation, form CJSTC-83, to update the rule reference and where the original and/or copy of the form should be maintained.

Paragraph 11B-27.013(6)(a), F.A.C.: Incorporates the revised Canine Team Certification Deficiency Notification, form CJSTC-270, to update where the original and/or copy of the form should be maintained.

Paragraph 11B-27.014(2)(a), F.A.C.: Updates the course of fire requirements to indicate the range master conducting the course of fire be an active Commission-certified "handgun" instructor instead of "firearms" instructor.

Sub-paragraph 11B-27.014(4)(a)1., F.A.C.: Updates the rule language to change the term from Commission-certified "firearms" instructor to Commission-certified "handgun" instructor which is allowed to request CJSTC-600 forms.

Paragraph 11B-27.014(4)(b), F.A.C.: Updates the rule language to change the term from Commission-certified "firearms" instructor to Commission-certified "handgun" instructor which is allowed to request CJSTC-600 forms.

Subsection 11B-27.014(6), F.A.C.: Updates the rule language to change the term from Commission-certified "firearms" instructor to Commission-certified "handgun" instructor.

#### SUMMARY:

Revised Affidavit of Applicant, form CJSTC-68; Registration of Employment Affidavit of Compliance, form CJSTC-60; Officer Certification Application, form CJSTC-59; Employment Background Investigative Report, form CJSTC-77; Temporary Employment Authorization Statement, form CJSTC-65; Exemption-From-Training, form CJSTC-76; Exemption-From-Training Proficiency Demonstration, form CJSTC-76A; Affidavit of Separation, form CJSTC-61; Mandatory Retraining Report, form CJSTC-74; Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A; Handgun Performance Evaluation, form CJSTC-4; Authority for Release of Information, form CJSTC-58; Internal Investigation Report, form CJSTC-78; Canine Team Certification Application, form CJSTC-70; Canine Team Performance Evaluation, form CJSTC-83; Canine Team Certification Deficiency Notification, form CJSTC-270; "firearms" to "handgun" term changes; law enforcement officer training requirement; and forms maintenance.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE**

**RATIFICATION:** The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

**OTHER RULES INCORPORATING THIS RULE:** N/A. **EFFECT ON THOSE OTHER RULES:** N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 741.29(2), 943.03(4), 943.12(1), 943.133(3) FS.

**LAW IMPLEMENTED:** 741.29(2), 943.12, (3), (16), 943.13, (11), 943.131, 943.132, 943.133, 943.135, 943.139, 943.1395, (3), (5), 943.17(1)(a), 943.1701, 943.1715, 943.1716, 943.253 FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):**

**DATE AND TIME:** Friday, January 10, 2025, at 10:00 a.m.

**PLACE:** Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

**AMERICANS WITH DISABILITIES ACT:** Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting:

Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:**

Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Bureau Chief Glen Hopkins

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Governor and Cabinet

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 17, 2024

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** November 4, 2024

THE FULL TEXT OF THE PROPOSED RULE IS:

**11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers.**

(1) Certification or Reactivation of Certification. Prior to submitting an application for certification or reactivation of certification for a law enforcement, correctional, or correctional probation officer, the employing agency shall collect and verify documents establishing that an applicant has complied with the requirements of Section 943.13, F.S. Verified documents shall be maintained in the officer's training file at the employing agency. The following documents are required for verification of an applicant's compliance with this rule section:

(a) through (e) No change.

(f) An Affidavit of Applicant, form CJSTC-68, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-13129>, executed by the applicant attesting that the applicant complies with the employment or appointment qualifications pursuant to Sections 943.13(1)-(10), F.S. Form CJSTC-68 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(g) through (h) No change.

(2) The employing agency administrator is required, within 30 days of hire, to submit to Commission staff or electronically transmit through the Commission's Automated Training Management System (ATMS), and maintain on file a Registration of Employment Affidavit of Compliance, form CJSTC-60, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-13130>, attesting to compliance by the employing agency with the following requirements. Form CJSTC-60 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(a) For law enforcement, correctional, and correctional probation officer applicants who have not been previously certified and who have complied with the certification requirements pursuant to Sections 943.13(1)-(10), F.S., the employing agency shall certify to the Commission that the applicant is eligible for certification by submitting to Commission staff or electronically transmitting through the Commission's Automated Training Management System (ATMS), a completed Officer Certification Application, form CJSTC-59, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-13131>, within 30 days of the applicant's compliance with the certification requirements, notwithstanding whether the applicant is separated from employment. Upon receipt of an Officer Certification Application Deficiency Notification, form CJSTC-259, revised August 13, 2020, effective 5/2021, hereby incorporated by reference [http://www.flrules.org/Gateway/reference.asp?No=Ref-13132](https://www.flrules.org/Gateway/reference.asp?No=Ref-13132), the employing agency shall maintain on file, a copy of form CJSTC-59 and any other employment documentation. Forms CJSTC-59 and CJSTC-259 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. The employing agency shall submit a copy of form CJSTC-259 and the missing or deficient documentation to Commission staff within 90 days of the date the form was signed and issued to the agency. Failure by the employing agency to submit missing or deficient documentation within the required 90 days may result in denial of an applicant's request for certification. An officer applicant shall not work as a sworn officer prior to meeting the requirements of Section 943.13, F.S., except as authorized pursuant to Section 943.131, F.S.

(b) No change.

(3) Employment requirements pursuant to Sections 943.13, F.S., shall be documented on an Agency New Hire Report, form CJSTC-207, revised August 12, 2021, effective 6/2022, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-14226>. Form CJSTC-207 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.



(a) The files of newly hired officers are subject to an on-site inspection by Commission staff to ensure compliance with the requirements of Chapter 943, F.S., and Rule Chapter 11B-27, F.A.C. All documents collected in conjunction with the background investigation shall be available for review. The following documents shall be reviewed for completeness:

1. No change.

2. An Employment Background Investigative Report, form CJSTC-77, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021,~~ hereby incorporated by reference ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-13134>~~. Form CJSTC-77 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

3. No change.

4. A Temporary Employment Authorization Statement, form CJSTC-65, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~November 5, 2015, effective 9/2016,~~ hereby incorporated by reference ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-07372>~~. Form CJSTC-65 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

5. through 10. No change.

11. An Exemption-From-Training, form CJSTC-76, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 2, 2018, effective 7/2019,~~ hereby incorporated by reference ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-10751>~~, and an Exemption-From-Training Proficiency Demonstration, form CJSTC-76A, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 2, 2018, effective 7/2019,~~ hereby incorporated by reference ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-10752>~~, for previous Florida and out-of-state, federal, military officers, or special operations forces as defined in section 943.10(22), F.S., if the officer used this training option. Forms CJSTC-76 and CJSTC-76A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

12. through 14. No change.

15. An Affidavit of Separation, form CJSTC-61, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 18, 2022, effective 8/2023,~~ hereby incorporated by reference, ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-15516>~~, if the officer has separated employment with the agency. Form CJSTC-61 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) No change.

(4) through (5) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.13, 943.133, 943.139, 943.1395 FS. History—New 10-6-82, Amended 4-26-84, 1-7-85, Formerly 11B-27.02, Amended 9-3-87, 3-29-89, 5-14-92, 12-13-92, 9-5-93, 1-19-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 9-14-17, 8-15-18, 7-9-19, 5-5-20, 5-20-21, 6-26-22, 8-30-23, \_\_\_\_\_.

#### **11B-27.00212 Maintenance of Officer Certification.**

(1) through (3) No change.

(4) Continuing education or training pursuant to Section 943.135, F.S. Upon an officer's completion of the required continuing education or training the employing agency shall submit or electronically transmit to Commission staff through the Commission's ATMS, and maintain in file a completed Mandatory Retraining Report, form CJSTC-74, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 18, 2022, effective 8/2023,~~ hereby incorporated by reference ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-15517>~~. Form CJSTC-74 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission

staff at (850) 410-8615. Criminal justice agencies shall not update an officer's mandatory training unless an officer is employed by the agency or has met the requirement for employment pursuant to subsection 11B-27.002(1), F.A.C.

(5) through (13) No change.

(14) Law Enforcement Officer Firearms Qualification Standard. Beginning July 1, 2006, a law enforcement officer shall be required to qualify on the Commission's approved course of fire with the proficiency skills documented on the Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A, revised \_\_\_\_\_, effective \_\_\_\_\_ ~~August 10, 2023, effective 6/2024~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-16661>, and maintained in the officer's employment file. Form CJSTC-86A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(a) through (e) No change.

(15) through (17) No change.

(18) Sexual Assault Investigation. As a part of an officer's continuing education or training, a law enforcement officer shall be required to complete training on sexual assault, with an emphasis on culturally responsive, trauma-informed training on interviewing sexual assault victims and investigations of incidents of sexual assault.

(a) through (b) No change.

(c) The certification of a law enforcement officer who fails to comply with the requirements pursuant to s. ~~943.1724~~ ~~943.17298~~, F.S., shall become inactive and shall remain inactive until the officer completes the required training and the officer's employing agency provides Commission staff with verification that the officer has completed the required training.

(d) No change.

(19) Administering Lethality Assessments. As a part of an officer's continuing education or training, a law enforcement officer shall be required to complete training on the policies and procedures for administering a lethality assessment to victims of domestic violence.

(a) All law enforcement officers shall complete the Commission-approved course developed pursuant to s. 741.29(2)(b), F.S., prior to October 1, 2026.

(b) All law enforcement officers who complete a law enforcement basic recruit training program which began on or after July 1, 2026, shall have met this requirement.

(c) The certification of a law enforcement officer who fails to comply with the requirements pursuant to s. 741.29(2)(b), F.S., shall become inactive and shall remain inactive until the officer completes the required training and the officer's employing agency provides Commission staff with verification that the officer has completed the required training.

(d) Upon an officer's completion of the required training, the employing agency shall submit, or electronically transmit to Commission staff through the Commission's ATMS, the date of completion.

Rulemaking Authority ~~741.29(2)~~, 943.03(4), 943.12(1) FS. Law Implemented ~~741.29(2)~~, 943.12, 943.13(11), 943.135, 943.1395(3), 943.1701, 943.1715, 943.1716, 943.253 FS. History—New, 11-5-02. Amended 12-3-03, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 4-16-09, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 9-4-16, 8-15-18, 5-5-20, 5-20-21, 6-26-22, 8-30-23, 6-25-24, \_\_\_\_\_. Editorial Note: See 11B-27.0023, F.A.C.

**11B-27.00213 Temporary Employment Authorization.** A Certificate of Compliance shall not be issued to officers employed on a Temporary Employment Authorization (TEA) prior to meeting the requirements of Sections 943.13(1)-(10), F.S.

(1) A TEA shall only be issued pursuant to Section 943.131, F.S. Individuals hired on a TEA shall comply with the firearms training program established by Section 943.17(1)(a), F.S.

(a) Pre-Training TEA. Individuals employed or appointed on a pre-training TEA shall:

1. No change.

2. Successfully complete eight hours of firearms training, which shall include demonstration of proficiency in the presence of a Commission-certified handgun ~~firearms~~ instructor.

3. through 5. No change.

(b) through (c) No change.

(2) An officer employed on a TEA, shall be excused from the firearms training requirement upon placement of a statement in the officer's file at the employing agency. The statement shall be signed by the agency administrator confirming that the TEA-appointed officer shall not be permitted to carry a firearm until the following classroom training requirements have been fulfilled:

(a) No change.

(b) Firearms Range Training. The trainee's proficiency demonstration shall be documented on a Handgun Performance Evaluation, form CJSTC-4, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 18, 2022, effective 8/2023,~~ hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-15509>, and maintained in the trainee's file at the employing agency. Form CJSTC-4 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. The instructor shall qualify the trainee with a semi-automatic pistol using the Commission's Basic Recruit Training Firearms Proficiency Skills, pursuant to form CJSTC-4, and the form shall be maintained in the trainee's file at the employing agency.

(3) through (5) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.13, 943.131, 943.133, 943.139, 943.1395, 943.17(1)(a) FS. History—New, 11-5-02. Amended 11-30-04, 3-27-06, 6-9-08, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 9-4-16, 6-26-22, 8-30-23, \_\_\_\_\_.

#### **11B-27.0022 Background Investigations.**

(1) No change.

(2) The employing agency shall, at a minimum, use the following background investigation procedures:

(a) Obtain previous employment data from prior employers. Criminal justice agencies conducting background investigations have the option of using the Authority for Release of Information, form CJSTC-58, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021,~~ hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-13137>, pursuant to Sections 943.134(2) and (4), F.S. Form CJSTC-58 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) through (d) No change.

(3) through (4) No change.

Rulemaking Authority 943.03(4) 943.12(1), 943.133(3) FS. Law Implemented 943.133, 943.139 FS. History—New 10-6-82, Amended 1-7-85, Formerly 11B-27.022, Amended 7-13-87, 10-17-90, 5-13-92, 5-14-92, 12-13-92, 9-5-93, 8-7-94, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 3-13-13, 5-5-20, 5-20-21, \_\_\_\_\_.

#### **11B-27.003 Duty to Report, Investigations, Procedures.**

(1) No change.

(2) Upon concluding the investigation:

(a) If the allegations are sustained, the employing agency shall complete an Internal Investigation Report, form CJSTC-78, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021,~~ hereby incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-13138>, regardless of whether any civil service appeal,

arbitration, employment hearing, administrative, civil, or criminal action is pending or contemplated. Form CJSTC-78 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(b) through (c) No change.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.1395(5) FS. History—New 10-6-82, Amended 1-7-85, Formerly 11B-27.03, Amended 12-13-92, 9-5-93, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 6-9-08, 9-14-17, 8-15-18, 5-20-21, \_\_\_\_\_.

#### **11B-27.013 Canine Team Certification.**

(1) No change.

(2) Canine team certification requirements. Commission certification of a canine team is not required. If a canine team seeks Commission certification, the canine team shall meet the following requirements:

(a) through (d) No change.

(e) A canine team shall provide documentation of the canine team's compliance with certification requirements and submit a Canine Team Certification Application, form CJSTC-70, revised \_\_\_\_\_, effective \_\_\_\_\_, August 12, 2021, effective 6/2022, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-14218>. Form CJSTC-70 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(3) Required documentation for certification of a canine team. Documentation of compliance for Commission certification of canine teams shall include:

(a) through (b) No change.

(c) A completed Canine Team Performance Evaluation form CJSTC-83, revised \_\_\_\_\_, effective November 6, 2014, effective 7/2015, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-05655>, shall be verified by evaluator(s) to ensure the canine team completed the proficiency requirements. Form CJSTC-83 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

1. through 7. No change.

(4) through (5) No change.

(6) Inspection of canine team applicant files.

(a) Upon determination of an unfavorable inspection by Commission staff, the deficiencies shall be documented on a Canine Team Certification Deficiency Notification form CJSTC-270, revised \_\_\_\_\_, effective November 6, 2014, effective 7/2015, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-05660>. Form CJSTC-270 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) No change.

(7) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(16) FS. History—New 3-29-89, Amended 12-13-92, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 3-13-13, 5-29-14, 5-29-14, 7-29-15, 9-4-16, 6-26-22, \_\_\_\_\_.

**11B-27.014 Implementation of the Federal Law Enforcement Officers Safety Act of 2004.**

(1) No change.

(2) Requirements for administering the course of fire are as follows:

(a) The range master conducting the course of fire shall be an active Commission-certified handgun ~~firearms~~ instructor pursuant to paragraphs 11B-20.0014(2)(c) or (d), F.A.C.

(b) through (c) No change.

(3) No change.

(4) Issuance and Maintenance of form CJSTC-600.

(a) A request for form CJSTC-600 shall be made in writing to the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Officer Records Section.

1. A Commission-certified handgun ~~firearms~~ instructor is allowed to receive up to 50 each of the CJSTC-600 form with each written request, and the request shall include the firearm instructor's full name, mailing address and physical address if different from the mailing address, telephone number, and the name of the Commission-certified training school, defined as "training school" in subsection 11B-18.003(23), F.A.C., affiliation or criminal justice agency affiliation.

2. through 3. No change.

(b) A Commission-certified handgun ~~firearms~~ instructor shall only issue a CJSTC-600 form for successful completion of the course of fire. Each CJSTC-600 form shall be issued with a specific number imprinted on the form and the handgun ~~firearms~~ instructor shall maintain documentation for a period of two years indicating to whom the CJSTC-600 was issued, which shall be subject to audit by Commission staff during regular business hours upon a two-day written notice by Commission staff.

(c) No change.

(5) through (6) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12, 943.132 FS. History—New 3-3-08, Amended 6-3-10, 3-13-13, 7-9-19, 5-5-20,\_\_\_\_\_.

THE FULL TEXT OF THE PROPOSED RULE IS:

**11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers.**

(1) Certification or Reactivation of Certification. Prior to submitting an application for certification or reactivation of certification for a law enforcement, correctional, or correctional probation officer, the employing agency shall collect and verify documents establishing that an applicant has complied with the requirements of Section 943.13, F.S. Verified documents shall be maintained in the officer's training file at the employing agency. The following documents are required for verification of an applicant's compliance with this rule section:

(a) through (e) No change.

(f) An Affidavit of Applicant, form CJSTC-68, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-13129>, executed by the applicant attesting that the applicant complies with the employment or appointment qualifications pursuant to Sections 943.13(1)-(10), F.S. Form CJSTC-68 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(g) through (h) No change.

(2) The employing agency administrator is required, within 30 days of hire, to submit to Commission staff or electronically transmit through the Commission's Automated Training Management System (ATMS), and maintain on file a Registration of Employment Affidavit of Compliance, form CJSTC-60, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-13130>, attesting to compliance by the employing agency with the following requirements. Form CJSTC-60 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(a) For law enforcement, correctional, and correctional probation officer applicants who have not been previously certified and who have complied with the certification requirements pursuant to Sections 943.13(1)-(10), F.S., the employing agency shall certify to the Commission that the applicant is eligible for certification by submitting to Commission staff or electronically transmitting through the Commission's Automated Training Management System (ATMS), a completed Officer Certification Application, form CJSTC-59, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-13131>, within 30 days of the applicant's compliance with the certification requirements, notwithstanding whether the applicant is separated from employment. Upon receipt of an Officer Certification Application Deficiency Notification, form CJSTC-259, revised August 13, 2020, effective 5/2021, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-13132>, the employing agency shall maintain on file, a copy of form CJSTC-59 and any other employment documentation. Forms CJSTC-59 and CJSTC-259 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. The employing agency shall submit a copy of form CJSTC-259 and the missing or deficient documentation to Commission staff within 90 days of the date the form was signed and issued to the agency. Failure by the employing agency to submit missing or deficient documentation within the required 90 days may result in denial of an applicant's request for certification. An officer applicant shall not work as a sworn officer prior to meeting the requirements of Section 943.13, F.S., except as authorized pursuant to Section 943.131, F.S.

(b) No change.

(3) Employment requirements pursuant to Sections 943.13, F.S., shall be documented on an Agency New Hire Report, form CJSTC-207, revised August 12, 2021, effective 6/2022, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-14226>. Form CJSTC-207 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(a) The files of newly hired officers are subject to an on-site inspection by Commission staff to ensure compliance with the requirements of Chapter 943, F.S., and Rule Chapter 11B-27, F.A.C. All documents collected in conjunction with the background investigation shall be available for review. The following documents shall be reviewed for completeness:

1. No change.

2. An Employment Background Investigative Report, form CJSTC-77, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021,~~ hereby incorporated by reference ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-13134>~~. Form CJSTC-77 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

3. No change.

4. A Temporary Employment Authorization Statement, form CJSTC-65, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~November 5, 2015, effective 9/2016,~~ hereby incorporated by reference ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-07372>~~. Form CJSTC-65 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

5. through 10. No change.

11. An Exemption-From-Training, form CJSTC-76, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 2, 2018, effective 7/2019,~~ hereby incorporated by reference ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-10751>~~, and an Exemption-From-Training Proficiency Demonstration, form CJSTC-76A, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 2, 2018, effective 7/2019,~~ hereby incorporated by reference ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-10752>~~, for previous Florida and out-of-state, federal, military officers, or special operations forces as defined in section 943.10(22), F.S., if the officer used this training option. Forms CJSTC-76 and CJSTC-76A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

12. through 14. No change.

15. An Affidavit of Separation, form CJSTC-61, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 18, 2022, effective 8/2023,~~ hereby incorporated by reference, ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-15516>~~, if the officer has separated employment with the agency. Form CJSTC-61 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) No change.

(4) through (5) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.13, 943.133, 943.139, 943.1395 FS. History—New 10-6-82, Amended 4-26-84, 1-7-85, Formerly 11B-27.02, Amended 9-3-87, 3-29-89, 5-14-92, 12-13-92, 9-5-93, 1-19-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 9-14-17, 8-15-18, 7-9-19, 5-5-20, 5-20-21, 6-26-22, 8-30-23, \_\_\_\_\_.

#### **11B-27.00212 Maintenance of Officer Certification.**

(1) through (3) No change.

(4) Continuing education or training pursuant to Section 943.135, F.S. Upon an officer's completion of the required continuing education or training the employing agency shall submit or electronically transmit to Commission staff through the Commission's ATMS, and maintain in file a completed Mandatory Retraining Report, form CJSTC-74, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 18, 2022, effective 8/2023,~~ hereby incorporated by reference ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-15517>~~. Form CJSTC-74 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission



staff at (850) 410-8615. Criminal justice agencies shall not update an officer's mandatory training unless an officer is employed by the agency or has met the requirement for employment pursuant to subsection 11B-27.002(1), F.A.C.

(5) through (13) No change.

(14) Law Enforcement Officer Firearms Qualification Standard. Beginning July 1, 2006, a law enforcement officer shall be required to qualify on the Commission's approved course of fire with the proficiency skills documented on the Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A, revised \_\_\_\_\_, effective \_\_\_\_\_ ~~August 10, 2023, effective 6/2024~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-16661>, and maintained in the officer's employment file. Form CJSTC-86A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(a) through (e) No change.

(15) through (17) No change.

(18) Sexual Assault Investigation. As a part of an officer's continuing education or training, a law enforcement officer shall be required to complete training on sexual assault, with an emphasis on culturally responsive, trauma-informed training on interviewing sexual assault victims and investigations of incidents of sexual assault.

(a) through (b) No change.

(c) The certification of a law enforcement officer who fails to comply with the requirements pursuant to s. ~~943.1724~~ ~~943.17298~~, F.S., shall become inactive and shall remain inactive until the officer completes the required training and the officer's employing agency provides Commission staff with verification that the officer has completed the required training.

(d) No change.

(19) Administering Lethality Assessments. As a part of an officer's continuing education or training, a law enforcement officer shall be required to complete training on the policies and procedures for administering a lethality assessment to victims of domestic violence.

(a) All law enforcement officers shall complete the Commission-approved course developed pursuant to s. 741.29(2)(b), F.S., prior to October 1, 2026.

(b) All law enforcement officers who complete a law enforcement basic recruit training program which began on or after July 1, 2026 shall have met this requirement.

(c) The certification of a law enforcement officer who fails to comply with the requirements pursuant to s. 741.29(2)(b), F.S., shall become inactive and shall remain inactive until the officer completes the required training and the officer's employing agency provides Commission staff with verification that the officer has completed the required training.

(d) Upon an officer's completion of the required training, the employing agency shall submit, or electronically transmit to Commission staff through the Commission's ATMS, the date of completion.

Rulemaking Authority ~~741.29(2)~~, 943.03(4), 943.12(1) FS. Law Implemented ~~741.29(2)~~, 943.12, 943.13(11), 943.135, 943.1395(3), 943.1701, 943.1715, 943.1716, 943.253 FS. History—New, 11-5-02. Amended 12-3-03, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 4-16-09, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 9-4-16, 8-15-18, 5-5-20, 5-20-21, 6-26-22, 8-30-23, 6-25-24, \_\_\_\_\_. Editorial Note: See 11B-27.0023, F.A.C.

**11B-27.00213 Temporary Employment Authorization.** A Certificate of Compliance shall not be issued to officers employed on a Temporary Employment Authorization (TEA) prior to meeting the requirements of Sections 943.13(1)-(10), F.S.

(1) A TEA shall only be issued pursuant to Section 943.131, F.S. Individuals hired on a TEA shall comply with the firearms training program established by Section 943.17(1)(a), F.S.

(a) Pre-Training TEA. Individuals employed or appointed on a pre-training TEA shall:



1. No change.

2. Successfully complete eight hours of firearms training, which shall include demonstration of proficiency in the presence of a Commission-certified handgun ~~firearms~~ instructor.

3. through 5. No change.

(b) through (c) No change.

(2) An officer employed on a TEA, shall be excused from the firearms training requirement upon placement of a statement in the officer's file at the employing agency. The statement shall be signed by the agency administrator confirming that the TEA-appointed officer shall not be permitted to carry a firearm until the following classroom training requirements have been fulfilled:

(a) No change.

(b) Firearms Range Training. The trainee's proficiency demonstration shall be documented on a Handgun Performance Evaluation, form CJSTC-4, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 18, 2022, effective 8/2023,~~ hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-15509>, and maintained in the trainee's file at the employing agency. Form CJSTC-4 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. The instructor shall qualify the trainee with a semi-automatic pistol using the Commission's Basic Recruit Training Firearms Proficiency Skills, pursuant to form CJSTC-4, and the form shall be maintained in the trainee's file at the employing agency.

(3) through (5) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.13, 943.131, 943.133, 943.139, 943.1395, 943.17(1)(a) FS. History—New, 11-5-02. Amended 11-30-04, 3-27-06, 6-9-08, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 9-4-16, 6-26-22, 8-30-23, \_\_\_\_\_.

#### **11B-27.0022 Background Investigations.**

(1) No change.

(2) The employing agency shall, at a minimum, use the following background investigation procedures:

(a) Obtain previous employment data from prior employers. Criminal justice agencies conducting background investigations have the option of using the Authority for Release of Information, form CJSTC-58, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021,~~ hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-13137>, pursuant to Sections 943.134(2) and (4), F.S. Form CJSTC-58 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) through (d) No change.

(3) through (4) No change.

Rulemaking Authority 943.03(4) 943.12(1), 943.133(3) FS. Law Implemented 943.133, 943.139 FS. History—New 10-6-82, Amended 1-7-85, Formerly 11B-27.022, Amended 7-13-87, 10-17-90, 5-13-92, 5-14-92, 12-13-92, 9-5-93, 8-7-94, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 3-13-13, 5-5-20, 5-20-21, \_\_\_\_\_.

#### **11B-27.003 Duty to Report, Investigations, Procedures.**

(1) No change.

(2) Upon concluding the investigation:

(a) If the allegations are sustained, the employing agency shall complete an Internal Investigation Report, form CJSTC-78, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021,~~ hereby incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-13138>, regardless of whether any civil service appeal,

arbitration, employment hearing, administrative, civil, or criminal action is pending or contemplated. Form CJSTC-78 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(b) through (c) No change.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.1395(5) FS. History–New 10-6-82, Amended 1-7-85, Formerly 11B-27.03, Amended 12-13-92, 9-5-93, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 6-9-08, 9-14-17, 8-15-18, 5-20-21, \_\_\_\_\_.

#### **11B-27.013 Canine Team Certification.**

(1) No change.

(2) Canine team certification requirements. Commission certification of a canine team is not required. If a canine team seeks Commission certification, the canine team shall meet the following requirements:

(a) through (d) No change.

(e) A canine team shall provide documentation of the canine team's compliance with certification requirements and submit a Canine Team Certification Application, form CJSTC-70, revised \_\_\_\_\_, effective \_\_\_\_\_, August 12, 2021, effective 6/2022, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-14218>. Form CJSTC-70 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(3) Required documentation for certification of a canine team. Documentation of compliance for Commission certification of canine teams shall include:

(a) through (b) No change.

(c) A completed Canine Team Performance Evaluation form CJSTC-83, revised \_\_\_\_\_, effective \_\_\_\_\_, November 6, 2014, effective 7/2015, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-05655>, shall be verified by evaluator(s) to ensure the canine team completed the proficiency requirements. Form CJSTC-83 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

1. through 7. No change.

(4) through (5) No change.

(6) Inspection of canine team applicant files.

(a) Upon determination of an unfavorable inspection by Commission staff, the deficiencies shall be documented on a Canine Team Certification Deficiency Notification form CJSTC-270, revised \_\_\_\_\_, effective \_\_\_\_\_, November 6, 2014, effective 7/2015, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-05660>. Form CJSTC-270 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) No change.

(7) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(16) FS. History–New 3-29-89, Amended 12-13-92, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 3-13-13, 5-29-14, 5-29-14, 7-29-15, 9-4-16, 6-26-22, \_\_\_\_\_.

**11B-27.014 Implementation of the Federal Law Enforcement Officers Safety Act of 2004.**

(1) No change.

(2) Requirements for administering the course of fire are as follows:

(a) The range master conducting the course of fire shall be an active Commission-certified handgun ~~firearms~~ instructor pursuant to paragraphs 11B-20.0014(2)(c) or (d), F.A.C.

(b) through (c) No change.

(3) No change.

(4) Issuance and Maintenance of form CJSTC-600.

(a) A request for form CJSTC-600 shall be made in writing to the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Officer Records Section.

1. A Commission-certified handgun ~~firearms~~ instructor is allowed to receive up to 50 each of the CJSTC-600 form with each written request, and the request shall include the firearm instructor's full name, mailing address and physical address if different from the mailing address, telephone number, and the name of the Commission-certified training school, defined as "training school" in subsection 11B-18.003(23), F.A.C., affiliation or criminal justice agency affiliation.

2. through 3. No change.

(b) A Commission-certified handgun ~~firearms~~ instructor shall only issue a CJSTC-600 form for successful completion of the course of fire. Each CJSTC-600 form shall be issued with a specific number imprinted on the form and the handgun ~~firearms~~ instructor shall maintain documentation for a period of two years indicating to whom the CJSTC-600 was issued, which shall be subject to audit by Commission staff during regular business hours upon a two-day written notice by Commission staff.

(c) No change.

(5) through (6) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12, 943.132 FS. History—New 3-3-08, Amended 6-3-10, 3-13-13, 7-9-19, 5-5-20,\_\_\_\_\_.

STATE OF FLORIDA  
DEPARTMENT OF LAW ENFORCEMENT  
CHAPTER 11B-30, FLORIDA ADMINISTRATIVE CODE  
AMENDING RULE 11B-30.006  
STATE OFFICER CERTIFICATION EXAMINATION  
SUMMARY OF THE RULE

Revises Training Report, form CJSTC-67; Exemption-From-Training, form CJSTC-76; and forms maintenance.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

11B-30.006(1): Incorporates the revised Training Report, form CJSTC-67, to change the rule reference and update where the original and/or copy of the form should be maintained.

11B-30.006(2)(b): Incorporates the revised Exemption-From-Training, form CJSTC-76, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND  
LEGISLATIVE RATIFICATION

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the

information expressly relied upon and described herein: The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

#### FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

#### SUMMARY OF HEARING

No requests for a public hearing or written comments have been received.

NOTICE OF PROPOSED RULE

NAME OF AGENCY: Department of Law Enforcement

Division or Board: Criminal Justice Standards and Training Commission

Rule Chapter: 11B-30; State Officer Certification Examination

RULE NO.:	RULE TITLE:
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11B-30.006	State Officer Certification Examination General Eligibility Requirements
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PURPOSE AND EFFECT:

Subsection 11B-30.006(1), F.A.C.: Incorporates the revised Training Report, form CJSTC-67, to change the rule reference and update where the original and/or copy of the form should be maintained.

Paragraph 11B-30.006(2)(b), F.A.C.: Incorporates the revised Exemption-From-Training, form CJSTC-76, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

SUMMARY:

Revised Training Report, form CJSTC-67; Exemption-From-Training, form CJSTC-76; and forms maintenance.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

OTHER RULES INCORPORATING THIS RULE: N/A. EFFECT ON THOSE OTHER RULES: N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.12(17), 943.131(2), 943.1397 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Friday, January 10, 2025, at 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

AMERICANS WITH DISABILITIES ACT: Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting:

Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:

Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bureau Chief Glen Hopkins

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 4, 2024

THE FULL TEXT OF THE PROPOSED RULE IS:

**11B-30.006 State Officer Certification Examination General Eligibility Requirements.**

(1) For the purposes of this rule chapter, the terms “successfully completed” and “successfully complete” are defined as being denoted with a “Pass,” pursuant to subsection 11B-35.001(10), F.A.C., on the completed Training Report, form CJSTC-67, revised \_\_\_\_\_, effective ~~November 5, 2015, effective 9/2016~~, hereby incorporated by reference, ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-107375>~~. Form CJSTC-67 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(2) The following individuals are eligible to take the State Officer Certification Examination (SOCE) for the requested criminal justice discipline:

(a) No change.

(b) Inactive Florida law enforcement, correctional, and correctional probation officers, defined in Section 943.1395(3), F.S., who comply with paragraph 11B-27.00212(12)(a), and Rule 11B-35.009, F.A.C., shall pass the SOCE within one year of notification of approval of the Exemption-From-Training, form CJSTC-76, revised \_\_\_\_\_, effective ~~August 2, 2018, effective 7/2019~~, hereby incorporated by reference, ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-10753>~~. Form CJSTC-76 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(c) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(17), 943.131(2), 943.1397 FS. History—New 1-10-94, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 5-21-12, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 7-9-19, \_\_\_\_\_.



STATE OF FLORIDA

DEPARTMENT OF LAW ENFORCEMENT

CHAPTER 11B-35, FLORIDA ADMINISTRATIVE CODE

AMENDING RULES 11B-35.001, 11B-35.0021, 11B-35.0024 AND 11B-35.009

TRAINING PROGRAMS

SUMMARY OF THE RULE

Revises Training Report, form CJSTC-67; Academy Physical Fitness Standards Report, form CJSTC-67A; Handgun Performance Evaluation, form CJSTC-4; Firearms Instructor Performance Evaluation, form CJSTC-4I; Handgun Instructor Performance Evaluation, form CJSTC-4H; Patrol Rifle Instructor Performance Evaluation, form CJSTC-4R; Shotgun Instructor Performance Evaluation, form CJSTC-4S; Canine Team Performance Evaluation, form CJSTC-83; Canine Team Instructor Performance Evaluation, form CJSTC-20; Exemption-From-Training, form CJSTC-76; Exemption-From-Training Proficiency Demonstration, form CJSTC-76A; and renames Firearms Instructor Course, number 801; High-Liability Basic Recruit Training proficiency skills requirements to include “administering lethality assessments”; updates Commission-approved High-Liability Instructor Training Courses and requirements; Advanced Defensive Tactics Course; rifle and shotgun instructor certifications; instructor applicant training requirements; and “firearms” to “handgun” term changes.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

11B-35.001(5): Removes the reference to “paper” copies of the Basic Recruit Training Curriculum to allow training centers the option of providing PDFs/electronic copies, since the Florida Department of Corrections is piloting a program to provide recruits with tablets that have the digital textbooks preloaded.

11B-35.0021(4): Reformats Rule 11B-35.0021(4), F.A.C., to add Breath Test Instructor Course-Intoxilyzer 9000, number 1117; and Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, to the list of specialized instructor courses.

11B-35.0021(4)(c): Adds the Breath Test Instructor Course-Intoxilyzer 9000, number 1117 as Commission-approved specialized instructor courses, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

11B-35.0021(4)(e): Adds the Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, as Commission-approved specialized instructor courses, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

11B-35.0021(6): Reformats Rule 11B-35.0021(6), F.A.C., because of the removal of the retired Safe Handling of Firearms course, number 2007, in paragraph (b).

11B-35.0021(6)(b): Retires and removes the Safe Handling of Firearms course, number 2007, since all disciplines must take the current/new firearms curriculum.

11B-35.0021(8)(a): Removes the retired Safe Handling of Firearms course, number 2007, since all disciplines must take the current/new firearms curriculum.

11B-35.0021(8)(b): Corrects the spelling to change “in route” to “en route”.

11B-35.0024(3): Removes the retired Safe Handling of Firearms course, number 2007, since all disciplines must take the current/new firearms curriculum.

11B-35.0024(3)(e): Removes the retired Safe Handling of Firearms course, number 2007, since all disciplines must take the current/new firearms curriculum; and repeals the Firearms Handling Performance Evaluation, form CJSTC-21, because it is only used with the Safe Handling of Firearms Course, number 2007.

11B-35.0024(3)(e)-(i): Reformats Rule 11B-35.0024(3)(e)-(i), F.A.C., because of the removal of the retired Safe Handling of Firearms course, number 2007, in paragraph (e).

11B-35.0024(4): Adds the following Breath Intoxilyzer 9000 courses in which individuals are required to demonstrate proficiency skills in basic recruit, advanced, specialized instructor, or specialized training program courses: Breath Test Instructor Course-Intoxilyzer 9000, Breath Test Instructor Renewal Course-Intoxilyzer 9000, Breath Test Operator Course-Intoxilyzer 9000, Breath Test Operator Renewal Course-Intoxilyzer 9000, Agency Inspector Course-Intoxilyzer 9000, and Agency Inspector Renewal Course-Intoxilyzer 9000.

11B-35.0024(4)(d)2.: Incorporates the Breath Test Instructor Performance, form CJSTC-17, to add Breath Test Instructor Course-Intoxilyzer 9000, number 1117; and Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, pursuant to the implementation of the CMI Inc., Intoxilyzer 9000.

11B-35.0024(4)(e)-(s): Reformats Rule 11B-35.0024(4)(e)-(s), F.A.C., to add Breath Test Intoxilyzer 9000 courses, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

11B-35.0024(4)(e): Adds Breath Test Instructor Course-Intoxilyzer 9000, number 1117, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

11B-35.0024(4)(g): Adds Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

11B-35.0024(4)(h): Incorporates the revised Breath Testing Course Performance, form CJSTC-14, to update rule reference and add Breath Test Operator Course-Intoxilyzer 9000, number 852; Breath Test Operator Renewal Course-Intoxilyzer 9000, number 952; Agency Inspector Course-Intoxilyzer 9000, number 853; and Agency Inspector Renewal Course-Intoxilyzer 9000, number 953, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

11B-35.0024(4)(i): Adds Breath Test Operator Course-Intoxilyzer 9000, number 852, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

11B-35.0024(4)(k): Adds Breath Test Operator Renewal Course-Intoxilyzer 9000, number 952, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

11B-35.0024(4)(m): Adds Agency Inspector Course-Intoxilyzer 9000, number 853, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

11B-35.0024(4)(o): Adds Agency Inspector Course-Intoxilyzer 9000, number 853, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.

11B-35.007(1)(b)-(c): Updates the rule references.

11B-35.009(7): Updates the High-Liability Basic Recruit Training proficiency skills requirements to include “identifying and investigating human trafficking” pursuant to the Florida Legislature’s change to the underlying statute during the 2023 Legislative Session as it relates to Equivalency of Training applicants.

#### SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative

ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

SUMMARY OF HEARING

No requests for a public hearing or written comments have been received.

# NOTICE OF PROPOSED RULE

NAME OF AGENCY: Department of Law Enforcement

Division or Board: Criminal Justice Standards and Training Commission

Rule Chapter: 11B-35; Training Programs

RULE NO.:	RULE TITLE:
11B-35.001	General Training Programs; Requirements and Specifications
11B-35.0021	Courses and Requirements for Basic Recruit Training, Advanced, Specialized, and Instructor Training Requiring Proficiency Demonstration
11B-35.0024	Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Training Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration
11B-35.009	Exemption from Basic Recruit Training
PURPOSE AND EFFECT:	

Paragraph 11B-35.001(3)(c), F.A.C.: Updates the rule language to change the terms and course titles from “firearms” to “handgun” instructor, instructor course, and instructor update course.

Paragraph 11B-35.001(3)(e)-(f), F.A.C.: Adds Patrol Rifle Instructor Certification and Shotgun Instructor Certification requirements for instructors who teach Commission-approved Basic Recruit, Advanced, Specialized, and Special Operations Forces Training Program Courses at a training school.

Paragraph 11B-35.001(11)(a), F.A.C.: Incorporates the revised Training Report, form CJSTC-67, to change the rule reference and update where the original and/or copy of the form should be maintained.

Paragraph 11B-35.001(11)(b), F.A.C.: Incorporates the revised Academy Physical Fitness Standards Report, form CJSTC-67A, to change the rule reference and specify that the original form should be maintained by the training school.

Paragraph 11B-35.0021(3)(a), F.A.C.: Renames the Firearms Instructor Course, number 801, and changes to the Handgun Instructor Course.

Paragraph 11B-35.0021(3)(e)-(f), F.A.C.: Adds Patrol Rifle Instructor Certification, form CJSTC-4R, and Shotgun Instructor Certification, form CJSTC-4S, as Commission-approved High-Liability Instructor Training Courses.

Subsection 11B-35.0021(7), F.A.C.: Updates the instructor applicant training requirements to include the topics of handgun, patrol rifle, and shotgun.

Paragraph 11B-35.0021(8)(a), F.A.C.: Updates the rule language to include changes from “firearms instructor” to “handgun instructor,” and the proposed addition of the rifle and shotgun instructor certifications, including the instruction of the Single Officer Response to Active Threat and Shooter Incidents Course, Single Officer Response to Active Threat and Shooter Incidents Instructor Course, Patrol Rifle Operator Course, Patrol Rifle Instructor Course, Shotgun Operator Course, and the Shotgun Instructor Course.

Subsection 11B-35.0024(3), F.A.C.: Updates and changes the name of the Firearms Instructor Course to reflect Handgun Instructor Course; and adds Patrol Rifle Instructor Course and Shotgun Instructor proficiency demonstration requirements.

Subparagraph 11B-35.0024(3)(b)1., F.A.C.: Adds Advanced Defensive Tactics Course as a requirement for defensive tactics instructor students.

Subparagraph 11B-35.0024(3)(c)2., F.A.C.: Incorporates the revised Handgun Performance Evaluation, form CJSTC-4, and removes the commercially produced B-21E or equivalent target reference from the rule language because it already exists within the form.

Paragraph 11B-35.0024(3)(d), F.A.C.: Updates the rule language to change from “Firearms” Instructor Course to “Handgun” Instructor Course.

Subparagraph 11B-35.0024(3)(d)1., F.A.C.: Updates and changes the name of the Firearms Instructor requirements to reflect Handgun Instructor requirements; and adds the following courses to the instructor student requirements: Single Officer Response to Active Threat and Shooter Incidents Course, Single Officer Response to Active Threat and Shooter Incidents Instructor Course, Patrol Rifle Operator Course, Patrol Rifle Instructor Course, Shotgun Operator Course, and the Shotgun Instructor Course.

Subparagraph 11B-35.0024(3)(d)2., F.A.C.: Incorporates the revised Firearms Instructor Performance Evaluation, form CJSTC-4I, and changes the form name to Handgun Instructor Performance Evaluation, form CJSTC-4H.

Paragraph 11B-35.0024(3)(i), F.A.C.: Adds Patrol Rifle Instructor Course and proficiency demonstration requirements and incorporates the new Patrol Rifle Instructor Performance Evaluation, form CJSTC-4R.

Paragraph 11B-35.0024(3)(j), F.A.C.: Adds Shotgun Instructor Course and proficiency demonstration requirements and incorporates the new Shotgun Instructor Performance Evaluation, form CJSTC-4S.

Paragraph 11B-35.0024(4)(q), F.A.C.: Incorporates the revised Canine Team Performance Evaluation, form CJSTC-83, to update the rule reference and where the original and/or copy of the form should be maintained.

Subparagraph 11B-35.0024(4)(r)2., F.A.C.: Incorporates the revised Canine Team Instructor Performance Evaluation, form CJSTC-20, to change the rule reference and update where the original and/or copy of the form should be maintained.

Subsection 11B-35.009(6), F.A.C.: Incorporates the revised Exemption-From-Training, form CJSTC-76, to update where the original and/or copy of the form should be maintained and change the Agency Requirements for agencies unable to enter information online through ATMS to contact FDLE/CJP Records Section for assistance.

Subsection 11B-35.009(7), F.A.C.: Updates the High-Liability Basic Recruit Training proficiency skills requirements to include “administering lethality assessments” pursuant to the Florida Legislature’s change to s. 741.29, F.S., during the 2024 Legislative Session as it relates to Equivalency of Training applicants; and incorporates the revised Exemption-From-Training Proficiency Demonstration, form CJSTC-76A, to indicate the original form will be maintained by the agency instead of FDLE.

#### SUMMARY:

Revised Training Report, form CJSTC-67; Academy Physical Fitness Standards Report, form CJSTC-67A; Handgun Performance Evaluation, form CJSTC-4; Firearms Instructor Performance Evaluation, form CJSTC-4I; Handgun Instructor Performance Evaluation, form CJSTC-4H; Patrol Rifle Instructor Performance Evaluation, form CJSTC-4R; Shotgun Instructor Performance Evaluation, form CJSTC-4S; Canine Team Performance Evaluation, form CJSTC-83; Canine Team Instructor Performance Evaluation, form CJSTC-20; Exemption-From-Training, form CJSTC-76; Exemption-From-Training Proficiency Demonstration, form CJSTC-76A; and renamed Firearms Instructor Course, number 801; High-Liability Basic Recruit Training proficiency skills requirements to include “administering lethality assessments”; Commission-approved High-Liability Instructor Training Courses and requirements; Advanced Defensive Tactics Course; rifle and shotgun instructor certifications; instructor applicant training requirements; and “firearms” to “handgun” term changes.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

**OTHER RULES INCORPORATING THIS RULE:** N/A. **EFFECT ON THOSE OTHER RULES:** N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 741.29(2), 943.03(4), 943.12(1), (2), 943.14(3), 943.17 FS.

**LAW IMPLEMENTED:** 741.29(2), 943.12, 943.12(5), 943.17, 943.131(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

**DATE AND TIME:** Friday, January 10, 2025, at 10:00 a.m.

**PLACE:** Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

**AMERICANS WITH DISABILITIES ACT:** Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting:

Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:**

Joyce Gainous-Harris at 850-410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Bureau Chief Glen Hopkins

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Governor and Cabinet

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 17, 2024

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** November 4, 2024



THE FULL TEXT OF THE PROPOSED RULE IS:

**11B-35.001 General Training Programs; Requirements and Specifications.**

(1) through (2) No change.

(3) Instructors who teach Commission-approved Basic Recruit, Advanced, Specialized, and Special Operations Forces Training Program Courses at a training school shall:

(a) through (b) No change.

(c) Be required to hold additional certifications for specified areas of instruction in Commission-approved courses pursuant to Rule 11B-20.0014, F.A.C. Commission-certified ~~handgun firearms~~ instructors who instruct Basic Recruit Firearms courses on or after July 1, 2023, must have completed the Handgun Firearms Instructor Course (formerly Firearms Instructor Course), effective July 1, 2023, as a part of their initial ~~handgun firearms~~ instructor certification or have completed the Handgun Firearms Instructor Update Course, effective August 18, 2022. All Commission-certified ~~handgun firearms~~ instructors must have completed the Handgun Firearms Instructor Course, effective July 1, 2023, as a part of their initial ~~handgun firearms~~ instructor certification or have completed the Handgun Firearms Instructor Update Course, effective August 18, 2022, before June 30, 2024, or their ~~handgun firearms~~ instructor certification will be deactivated.

(d) No change.

(e) Be required to hold additional certifications for specified areas of instruction in Commission-approved courses pursuant to Rule 11B-20.0014, F.A.C. Commission-certified patrol rifle instructors who instruct Patrol Rifle Operator courses or Patrol Rifle Instructor courses must be a Commission-certified handgun instructor and a Commission-certified patrol rifle instructor pursuant to Rule 11B-20.0014, F.A.C.

(f) Be required to hold additional certifications for specified areas of instruction in Commission-approved courses pursuant to Rule 11B-20.0014, F.A.C. Commission-certified shotgun instructors who instruct Shotgun Operator courses or Shotgun Instructor courses must be a Commission-certified handgun instructor and a Commission-certified shotgun instructor pursuant to Rule 11B-20.0014, F.A.C.

(4) through (10) No change.

(11) Reporting requirements for Commission-approved Basic Recruit, Advanced, Specialized, and Special Operations Forces Training Program Courses are as follows:

(a) The training center director or designee shall determine the beginning and ending dates of each Basic Recruit Training Program and Special Operations Forces Training Program, and within thirty days following the class starting date shall forward a Training Report, form CJSTC-67, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~November 5, 2015, effective 9/2016,~~ hereby incorporated by reference ~~http://www.flrules.org/Gateway/reference.asp?No=Ref-  
http://www.flrules.org/Gateway/reference.asp?No=Ref 07376,~~ to Commission staff through the Commission's Automated Training Management System (ATMS). Form CJSTC-67 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) Following the completion of a Commission-approved Basic Recruit Training Program, Advanced Training Program Course, Special Operations Forces Training Program, or Specialized Training Program Course outlined in subsection 11B-35.007(1), F.A.C., the training center director or designee shall, within thirty days of the program or course completion date, electronically transmit a completed Training Report form CJSTC-67, or transmit an updated CJSTC-67 form through the Commission's ATMS. Submission of the Academy Physical Fitness Standards Report, form CJSTC-67A, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 4, 2016, effective 7/2017,~~ hereby incorporated by reference ~~http://www.flrules.org/Gateway/reference.asp?No=Ref-  
http://www.flrules.org/Gateway/reference.asp?No=Ref 08440,~~ is required for Law Enforcement, Correctional Probation, and Correctional Basic Recruit Training Programs within thirty days of the course completion. Submission of form CJSTC-67A is not required for the Law Enforcement Auxiliary and Cross-Over Basic Recruit Training Programs. Form CJSTC-67A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(c) No change.

(12) through (16) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2), 943.17 FS. Law Implemented 943.12, 943.17 FS. History—New 12-13-92, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 7-9-19, 5-5-20, 5-20-21, 6-23-22, 8-30-23, 6-20-24,\_\_\_\_\_.

**11B-35.0021 Courses and Requirements for Basic Recruit Training, Advanced, Specialized, and Instructor Training Requiring Proficiency Demonstration.**

(1) through (2) No change.

(3) High-Liability Instructor Training Courses:

(a) Handgun Firearms Instructor Course, number 801.

(b) through (d) No change.

(e) Patrol Rifle Instructor Course, form CJSTC-4R.

(f) Shotgun Instructor Course, form CJSTC-4S.

(4) through (6) no change.

(7) Applicants shall complete the training requirements set forth in subsections 11B-20.0014(2)-(3), F.A.C., to become certified by the Commission to instruct in the topics of handgun firearms, patrol rifle, shotgun, vehicle operations, defensive tactics, first aid, speed measurement, canine, diving, and breath test.

(8) Instructor to student ratios for instruction of proficiency skills in High-Liability Basic Recruit Training Program Courses, DUI Traffic Stops, High-Liability Instructor Training Courses, Specialized Instructor Courses, Advanced Training Program Courses, and Specialized Training Program Courses, requiring proficiency demonstration.

(a) For instruction of the Criminal Justice Firearms Course and Handgun Firearms Instructor Course, Single Officer Response to Active Threat and Shooter Incidents Course, Single Officer Response to Active Threat and Shooter Incidents Instructor Course, Patrol Rifle Operator Course, Patrol Rifle Instructor Course, Shotgun Operator Course, and Shotgun Instructor Course, there shall be no more than six students actively engaged on a firearms range for each Commission-certified handgun, rifle, or shotgun firearms instructor, as appropriate. While training is actively engaged, one rangemaster shall supervise all range activity and shall not be included as an instructor to comply with the instructor to student ratio requirements. Actively engaged is defined as “a student on the firing range handling a weapon.” For the Criminal Justice Firearms Course, Handgun Instructor Course, Single Officer Response to Active Threat and Shooter Incidents Course, or Single Officer Response to Active Threat and Shooter Incidents Instructor Course, while training is actively engaged. ~~The rangemaster shall be a Commission-certified handgun firearms instructor. For the Patrol Rifle Operator Course and Patrol Rifle Instructor Course, the rangemaster shall be a Commission-certified patrol rifle instructor. For the Shotgun Operator Course and Shotgun Instructor Course, the rangemaster shall be a Commission-certified shotgun instructor, and shall not be included as an instructor to comply with the instructor to student ratio requirements. Discretionary course of fire shall be conducted with a one to one instructor to student ratio. Actively engaged is defined as “a student on the firing range handling a weapon.”~~

(b) through (j) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2), 943.14(3), 943.17 FS. Law Implemented 943.12(5), 943.17 FS. History—New 12-13-92, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-21-07, 6-9-08, 9-28-09, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 6-20-24,\_\_\_\_\_.

**11B-35.0024 Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Training Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration.**

(1) through (2) No change.

(3) Successful completion and demonstration of proficiency skills is required for each of the following high-liability courses: Criminal Justice Defensive Tactics Course, Defensive Tactics Instructor Course, Criminal Justice Firearms Course, Handgun Firearms Instructor Course, Patrol Rifle Instructor Course, Shotgun Instructor Course, Law Enforcement Vehicle Operations Course, Vehicle Operations Instructor Course, First Aid for Criminal Justice Officers Course, and First Aid Instructor Course.

(a) No change.

(b) Defensive Tactics Instructor Course.

1. An instructor student shall complete the Defensive Tactics Instructor requirements pursuant to Rule 11B-20.0014, F.A.C., to instruct the following courses: The Criminal Justice Defensive Tactics Course in a Commission-approved Basic Recruit Training Program, Advanced Defensive Tactics Course, or ~~the~~ Defensive Tactics Instructor Course.

2. No change.

(c) Criminal Justice Firearms Course.

1. No change.

2. A basic recruit student shall achieve a score of 80% on the required written end-of-course examination and demonstrate the required Handgun Proficiency Skills with a semi-automatic pistol, ~~using a commercially produced B-21E or equivalent target~~. The results shall be recorded on the required Handgun Performance Evaluation form CJSTC-4, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 18, 2022, effective 8/2023~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-15510>. Form CJSTC-4 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615. Form CJSTC-4 shall be maintained in the student or course file.

(d) Handgun Firearms Instructor Course.

1. An instructor student shall complete the Handgun Firearms Instructor requirements pursuant to Rule 11B-20.0014, F.A.C., to instruct the following courses: The Criminal Justice Firearms Course in a Commission-approved Basic Recruit Training Program, Single Officer Response to Active Threat and Shooter Incidents Course, Single Officer Response to Active Threat and Shooter Incidents Instructor Course, Patrol Rifle Operator Course, Patrol Rifle Instructor Course, Shotgun Operator Course, Shotgun Instructor Course, or Handgun Firearms Instructor Course.

2. A handgun firearms instructor student shall achieve a score of no less than 85% on the required written end-of-course examination and demonstrate the required Handgun Proficiency Skills with a semi-automatic pistol, ~~using a commercially produced B-21E or equivalent target~~. The results shall be recorded on the required Handgun Firearms Instructor Performance Evaluation form CJSTC-4H 4H, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~created August 18, 2022, effective 8/2023~~, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-15511>. Form CJSTC-4H 4H can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. A copy of the completed form CJSTC-4H 4H shall be provided to the student and the original form CJSTC-4H 4H shall be maintained in the student or course file.

(e) through (h) No change.

(i) Patrol Rifle Instructor Course.

1. An instructor student shall complete the Patrol Rifle Instructor requirements pursuant to Rule 11B-20.0014, F.A.C., to instruct the following courses: Patrol Rifle Operator Course or Patrol Rifle Instructor Course.

2. A patrol rifle instructor student shall achieve a score of no less than 85% on the required written end-of-course examination and demonstrate the required Rifle Proficiency Skills with a patrol rifle. The results shall be recorded on the required Patrol Rifle Instructor Performance Evaluation, form CJSTC-4R, created \_\_\_\_\_, effective \_\_\_\_\_, hereby incorporated by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-https://www.flrules.org/Gateway/reference.asp?No=Ref-15511>. Form CJSTC-4R can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. A

copy of the completed form CJSTC-4R shall be provided to the student and the original form CJSTC-4R shall be maintained in the student or course file.

(j) Shotgun Instructor Course.

1. An instructor student shall complete the Shotgun Instructor requirements pursuant to Rule 11B-20.0014, F.A.C., to instruct the following courses: Shotgun Operator Course or Shotgun Instructor Course.

2. A shotgun instructor student shall achieve a score of no less than 85% on the required written end-of-course examination and demonstrate the required Shotgun Proficiency Skills with a shotgun. The results shall be recorded on the required Shotgun Instructor Performance Evaluation, form CJSTC-4S, created \_\_\_\_\_, effective \_\_\_\_\_, hereby incorporated by reference [https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____). Form CJSTC-4S can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. A copy of the completed form CJSTC-4S shall be provided to the student and the original form CJSTC-4S shall be maintained in the student or course file.

(4) Successful completion and demonstration of proficiency skills is required for each of the following basic recruit, advanced, specialized instructor, or specialized training program courses: DUI Traffic Stops, Speed Measurement Course, Speed Measurement Instructor Course, Breath Test Instructor Course, Breath Test Instructor Renewal Course, Breath Test Instructor Course-Intoxilyzer 9000, Breath Test Instructor Renewal Course-Intoxilyzer 9000, Breath Test Operator Course, Breath Test Operator Renewal Course, Breath Test Operator Course-Intoxilyzer 9000, Breath Test Operator Renewal Course-Intoxilyzer 9000, Agency Inspector Course, Agency Inspector Renewal Course, Agency Inspector Course-Intoxilyzer 9000, Agency Inspector Renewal Course-Intoxilyzer 9000, Underwater Police Science and Technology course, Canine Team Training Course, and Canine Team Training Instructor Course.

(a) through (p) No change.

(q) Canine Team Training Course number 1198. A handler shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required Canine Team Performance Evaluation form CJSTC-83, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~November 5, 2015, effective 9/2016,~~ hereby incorporated by reference [https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____) ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-07386>~~. Form CJSTC-83 can be obtained at the following FDLE Internet Address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. A copy of the completed form shall be provided to the student and the original maintained in the course file.

(r) Canine Team Training Instructor Course number 1199.

1. No change.

2. An instructor student shall achieve a score of no less than 85% on the required written end-of-course examination, demonstrate instruction of one classroom topic from the Canine Team Training Course number 1198, and demonstrate instructing field exercises in obedience, criminal apprehension, building search, area search, and tracking and trailing from the Canine Team Training Course number 1198, with the results recorded on the required performance evaluation form. A copy of the completed Canine Team Instructor Performance Evaluation form CJSTC-20, revised \_\_\_\_\_, effective \_\_\_\_\_, ~~August 13, 2020, effective 5/2021,~~ hereby incorporated by reference [https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____) ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-13143>~~, shall be provided to the student and the original form CJSTC-20 maintained in the instructor student course file. Form CJSTC-20 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. A copy of the completed form shall be provided to the student and the original maintained in the course file.

(s) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12, 943.17 FS. History—New 2-17-93, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 5-5-20, 5-20-21, 6-23-22, 8-30-23, 6-20-24, \_\_\_\_\_.

**11B-35.009 Exemption from Basic Recruit Training.**

(1) through (5) No change.

(6) Documentation requirements for out-of-state, federal, and inactive Florida Officers and special operations forces members. Upon verification of an individual's request for exemption of training, pursuant to this rule section, an employing agency, training center, or Criminal Justice Selection Center shall submit to Commission staff a completed Exemption-From-Training, form CJSTC-76, revised \_\_\_\_\_, effective ~~August 2, 2018~~, ~~effective 7/2019~~, hereby incorporated by reference ~~https://www.flrules.org/Gateway/reference.asp?No=Ref-  
https://www.flrules.org/Gateway/reference.asp?No=Ref 10754~~, for out-of-state, federal, and inactive Florida Officers and special operations forces members. Form CJSTC-76 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. Supporting documentation verifying the individual's compliance as a special operations forces member or with comparable basic recruit training and sworn criminal justice experience pursuant to this rule section shall be maintained on file by the employing agency, training center, or Criminal Justice Selection Center and submitted to Commission staff for review upon request. The agency shall be notified of the approval or denial of the requested exemption of certification in writing within 30 working days. Any appeal of denial of exemption is governed by Section 120.57, F.S.

(7) High-Liability Basic Recruit Training proficiency skills requirements for out-of-state, federal, or inactive Florida officers. Prior to applying for certification, an out-of-state or federal officer, or inactive Florida officer, who is exempt from completing a Commission-approved Basic Recruit Training Program, pursuant to Section 943.131(2), F.S., shall demonstrate proficiency in the required High-Liability Basic Recruit Training Proficiency Skills of vehicle operations, firearms, defensive tactics, and first aid, pursuant to Rule 11B-35.0024, F.A.C., for the discipline for which certification is sought and for the law enforcement discipline, complete Commission-approved training in recognition of and response to head trauma and brain injury in a child under 6 years of age; identifying and investigating human trafficking; sexual assault investigations; administering lethality assessments; and elder abuse investigations. Such officers shall achieve a passing score on the State Officer Certification Examination, pursuant to Rule 11B-30.0062, F.A.C., and paragraph 11B-30.008, F.A.C. Demonstration of proficiency in the required High-Liability Basic Recruit Training Proficiency Skills and passing the State Officer Certification Examination shall be completed within one year after notification of approval of the Exemption-From-Training form CJSTC-76. Individuals who do not complete the required demonstration of proficiency in the High-Liability Basic Recruit Training Proficiency Skills and achieve a passing score on the State Officer Certification Examination within one year, are permitted to apply for another exemption from training, pursuant to Section 943.131(2), F.S., provided they meet the eligibility requirements outlined in Section 943.131(2), F.S. Upon demonstration of proficiency in the required High-Liability Basic Recruit Training Proficiency Skills, the training school shall complete an Exemption-From-Training Proficiency Demonstration, form CJSTC-76A, revised \_\_\_\_\_, effective ~~August 2, 2018~~, ~~effective 7/2019~~, hereby incorporated by reference ~~https://www.flrules.org/Gateway/reference.asp?No=Ref-  
https://www.flrules.org/Gateway/reference.asp?No=Ref 10755~~, and provide a copy to the officer of form CJSTC-76A. Form CJSTC-76A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. The training center director or designee shall, within thirty days of course completion, electronically transmit a completed Training Report form CJSTC-67 through the Commission's ATMS, or submit an updated form CJSTC-67.

(8) through (11) No change.

Rulemaking Authority 741.29(2), 943.03(4), 943.12(1), (2) FS. Law Implemented 741.29(2), 943.131(2) FS. History—New 1-2-97, Amended 7-7-99, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 7-9-19, 5-5-20, 6-23-22, 6-20-24, \_\_\_\_\_.

STATE OF FLORIDA  
DEPARTMENT OF LAW ENFORCEMENT  
CHAPTER 11C-6, FLORIDA ADMINISTRATIVE CODE  
AMENDING RULES 11C-6.004, 11C-6.009, AND 11C-6.010  
PROCEDURES FOR REQUESTING CRIMINAL HISTORY  
RECORDS; SALE AND DELIVERY OF FIREARMS; AND  
RETENTION OF APPLICANT FINGERPRINTS

SUMMARY OF THE RULE

Amending the rule to reflect the current version of forms referenced in rule and business processes.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The rule change is requested to reflect the current version of forms referenced in rule and current business processes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND

LEGISLATIVE RATIFICATION

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to

exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

#### FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

#### SUMMARY OF HEARING

No requests for a public hearing or written comments have been received.

## NOTICE OF PROPOSED RULE

NAME OF AGENCY: Department of Law Enforcement

Division or Board: Division of Criminal Justice Information Services

Rule Chapter: 11C-6; Criminal History Records Dissemination Policy

RULE NO.:	RULE TITLE:
11C-6.004	Procedures for Requesting Criminal History Records
11C-6.009	Sale and Delivery of Firearms
11C-6.010	Retention of Applicant Fingerprints

### PURPOSE AND EFFECT:

Rule 11C-6.004: Updating the rule due to revising the form referenced in rule and clarifying operations procedures for payment by check and money order.

Rule 11C-6.009: Updating the rule to conform to the ATF 4473 form, including email address for billing inquiries, and clarifying requirements of firearm dealers if they have changes to their business.

Rule 11C-6.010: Updating the rule to clarify requirements for agencies or entities participating in the retained fingerprint program.

### SUMMARY:

Clarifying operations procedures and updating forms.

### SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE

RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

OTHER RULES INCORPORATING THIS RULE: N/A. EFFECT ON THOSE OTHER RULES: N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 790.065, 943.03(4), 943.05(2)(g), 943.05(2)(h), 943.053(3), 943.0542, 943.056, 1012.32(3), 1012.465, 1012.56 FS

**LAW IMPLEMENTED:** 251.002, 381.986, 381.988, 435.12, 493.6105, 496.4101(3)(c), 550.105(10)(c), 551.107(7)(c), 559.555(2)(c)3., 560.141(1)(c)3., 744.3135(4)(b), 790.065, 790.0655, 943.053(3), 943.0542, 943.056, 943.13(5), 985.644(3)(c), 1002.395(6)(b)3., 1002.421(3)(a), 1012.32(3), 1012.465, 1012.467, 1012.56 FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):



**DATE AND TIME:** Friday, January 10, 2025, at 10:00 a.m.

**PLACE:** Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.

**AMERICANS WITH DISABILITIES ACT:** Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting:

Rachel Truxell at 850-410-7100, or [racheltruxell@fdle.state.fl.us](mailto:racheltruxell@fdle.state.fl.us), or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:**

Rachel Truxell at 850-410-7100, or [racheltruxell@fdle.state.fl.us](mailto:racheltruxell@fdle.state.fl.us), or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Director Lucy Saunders

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Governor and Cabinet

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 17, 2024

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** November 4, 2024

THE TEXT OF THE PROPOSED RULE IS:

**11C-6.004 Procedures for Requesting Criminal History Records.**

(1) Requests for Florida criminal history records contained in the systems of the Florida Department of Law Enforcement are to be requested through electronic means as provided by the Department or directed to the following address:

Florida Department of Law Enforcement

~~Division of~~ Criminal Justice Information Services

Criminal History Services

Post Office Box 1489

Tallahassee, Florida 32302-1489.

In order for the Department to respond to requests for Florida criminal history information, the person or entity who wishes to review or secure such information shall provide to the Department the subject's full name, race, sex, and date of birth or approximate age. If available, the social security number may be provided.

(2) No change.

(3) Fees.

(a) There shall be no charge for conducting record checks under paragraphs (2)(a) through (c).

(b) As provided in Section 943.053(3)(e), F.S., a processing fee of \$24 shall be charged for each subject inquired upon under paragraphs (2)(d) through (f), except that the fee for the guardian ad litem program, and vendors of the Department of Children and Families, the Department of Juvenile Justice, the Agency for Persons with Disabilities, and the Department of Elder Affairs shall be \$8 for each name submitted; the fee for a state criminal history provided for application processing as required by law to be performed by the Department of Agriculture and Consumer Services shall be \$15 for each name submitted; and the fee for requests under Section 943.0542, F.S., which implements the National Child Protection Act of 1993 (NCPA), as amended, shall be \$18 for each volunteer name submitted. The state offices of the Public Defender or an office of criminal conflict and civil regional counsel shall not be assessed a fee for Florida criminal history information or wanted person information.

(c) The processing fee charged for each subject inquired upon via the internet shall be the fee authorized for inquiries from persons in the private sector in Section 943.053(3), F.S. This fee shall be assessed based on the inquiry regardless of whether the results show no criminal history record(s) or some possible record(s). When an inquiry on

one subject is made and more than one person is presented as possibly the same person, the customer will receive one criminal history record as a result of the prescribed payment. If the customer wants additional criminal history records from the list of persons presented for this same inquiry, a processing fee of \$24 shall be charged for each additional criminal record. An additional credit card processing fee may apply.

(d) Payment methods for criminal history record inquiries are as follows:

1. Criminal history record requests submitted in writing shall be payable by check or money order. Payments remitted by check are subject to the following requirements: Checks shall be payable to the Florida Department of Law Enforcement and shall be payable only in United States dollars in the proper amount; there must be sufficient funds in the account to cover the entire cost of the record check(s); the check cannot be a starter (temporary/counter) check; the check must contain a check number; the check amount and line amount must match; the check date cannot be dated older than ninety (90) days; the check's address must be included (pre-printed) on the check and cannot be handwritten or altered (including stickers/mailing labels); the payor's signature must match the pre-printed name on the check, unless the check is from a company/business account; the check cannot be previously endorsed (signed or marked on the back). Payments remitted by money order are subject to the following requirements: Money orders must be payable to the Florida Department of Law Enforcement and shall be payable only in United States dollars in the proper amount; the money order must be dated, not to be older than one (1) year; the money order cannot be previously endorsed (signed or marked on the back).

2. Criminal history record requests submitted electronically shall be payable by debit or credit card.

3. Agencies or entities invoiced for criminal history record checks shall submit payment for invoices by check, money order or journal transfer.

(4) Entities applying to the Florida Department of Law Enforcement to be qualified to receive criminal history records under the NCPA ~~National Child Protection Act~~ of 1993, as amended, must first complete and submit the following documents to the Florida Department of Law Enforcement, in accordance with the instructions provided: VECHS Qualified Entity Application – Volunteer & Employee Criminal History System (NCPA 1; Rev. April 2024 ~~May 2023~~). Entities that are qualified through the Florida Department of Law Enforcement to receive criminal history records under the NCPA ~~National Child Protection Act~~ must have their employees, volunteers, contractors, and vendors submit fingerprints electronically for each person to the Florida Department of Law Enforcement for each request for a criminal history record check. An employee means any person who receives remuneration from an

employer for the performance of any work or service while engaged in any employment under any appointment or contract for hire or apprenticeship, express or implied, oral or written, this includes, persons who are being paid by the qualified entity as a contractor, a subcontractor, or a business or individual providing services as a vendor, shall qualify as an employee for this purpose. A volunteer shall be defined as any person who, of his or her own free will, provides goods or services, to any qualified entity, with no monetary or material compensation. Qualified entities that release to another qualified entity any criminal history record information received pursuant to the NCPA National Child Protection Act must complete and maintain the following document, in accordance with the instructions provided: VECHS Dissemination Log – Volunteer & Employee Criminal History System (NCPA 4, Rev. December 2021, <http://www.flrules.org/Gateway/reference.asp?No=Ref-15825>). These forms are incorporated by reference.

*Rulemaking Authority 943.03(4), 943.053(3), 943.0542, 943.056 FS. Law Implemented 943.053(3), 943.0542, 943.056 FS. History—New 12-30-76, Amended 11-7-83, Formerly 11C-6.04, Amended 9-1-88, 4-1-93, 7-7-99, 8-22-00, 7-29-01, 12-3-03, 6-9-08, 6-3-10, 5-21-12, 3-13-13, 5-29-14, 9-4-16, 7-19-17, 8-15-18, 7-6-22, 8-30-23, 7-22-24, \_\_\_\_\_.*

#### **11C-6.009 Sale and Delivery of Firearms.**

(1) - (6) No change.

(7) The dealer will record the decision and number provided by FDLE in the box in the top right corner labeled, Transferor's/Seller's Transaction Number and in the NICS or State transaction number block ~~and in the box in the top right corner labeled, Transferor's/Seller's Transaction Number~~ of ATF form F-4473 (5300.9) Section C (August 2023). When the transaction is approved, the dealer should complete Section C of the ATF form F-4473.

(8) - (9) No change.

(10) Questions about invoices received should be directed to:

Florida Department of Law Enforcement

Office of Financial Management

Post Office Box 1489

Tallahassee, Florida 32302-1489

Telephone Number: (850)410-7156

Email: [FDLEAccountsReceivable@fdle.state.fl.us](mailto:FDLEAccountsReceivable@fdle.state.fl.us)

(11) – (17) No change.

(18) Dealers are required to notify FDLE of any changes in their business or mailing address, electronic mail address (e-mail), telephone number, or federal license status. Failure to do so will result in the dealer's identification number being suspended. When the correct address(es) and telephone number can be verified, and all outstanding invoices satisfied, service can be reinstated. Dealers with an expired federal license will not be able to process transactions. Dealers must have a valid active telephone number on file with FDLE that is answered during regular business hours.

(19) – (20) No change.

*Rulemaking Authority 790.065, 943.03(4) FS. Law Implemented 790.065, 790.0655 FS., Title 18, U.S.C., Chapter 44, and Title 27, C.F.R., Part 178. History—New 6-2-91, Amended 7-7-99, 8-22-00, 12-18-00, 11-5-02, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 7-9-19, 5-5-20, 8-30-23, 7-22-24, \_\_\_\_\_.*

#### **11C-6.010 Retention of Applicant Fingerprints.**

(1) Upon official written request from an agency executive director, secretary, or designee, or from a qualified entity under Section 943.0542, F.S., subject to the conditions specified in Sections 943.05(2)(g) and (h), F.S., or as otherwise required by law, the Florida Department of Law Enforcement shall enter and retain in the Biometric Identification ~~Solution System~~ (BIS) system the applicant fingerprints submitted for state and national criminal history checks by such agencies or entities to participate in the Applicant Fingerprint Retention and Notification Program (AFRNP) for current and prospective employees, contractors, volunteers, and persons seeking to be licensed or certified.

(2) Such applicant fingerprints shall be submitted in an electronic format for entry into BIS, and shall be retained. Without regard to whether an applicant fingerprint entry is retained in ~~the BIS database~~, data from an applicant fingerprint entry which would improve the quality or clarity of an arrest fingerprint entry will be merged with the arrest fingerprints, and the applicants fingerprints retained. An applicant fingerprint entry which is found to match a latent fingerprint taken from a crime scene will be retained as part of the criminal history database, unless an arrest fingerprint offers a match that is at least as demonstrable.

(3) No change.

(4) When the subject of retained fingerprints is identified with fingerprints from an incoming Florida arrest, as

confirmed by fingerprint comparison, the Department shall immediately advise the agency which submitted the applicant fingerprints of the arrest by means of an electronic notification. ~~in writing~~

(5) No change.

(6) The initial entry of an applicant's fingerprints into ~~the BIS database~~ must be accompanied by a state or a state and national criminal history records check. There is no additional fee for the first year of participation in the program. For each succeeding year, the \$6 per record annual fee shall ~~will~~ be charged.

(7) Noninstructional contractors who are subject to criminal history checks and whose fingerprints are retained in the AFRNP for five (5) years under Sections 1012.467, and 435.12, F.S., shall pay the prescribed fee for the five (5) year retention period at the initial submission of fingerprints.

(8) As a condition of participation in the AFRNP, the agency or qualified entity must inform the Department in writing or electronically and receive written confirmation from the Department of all persons with retained fingerprints who are no longer employed, licensed, certified, or otherwise associated with the agency in order that such persons may be removed from the AFRNP. It is the responsibility of the participating agency or qualified entity to regularly review their retained applicants and promptly remove any retained applicant(s) from the database upon their separation of service.

*Rulemaking Authority 943.05(2)(g), (h), 1012.32(3), 1012.465, 1012.56 FS. Law Implemented 251.002, 435.12, 496.4101(3)(c), 550.105(10)(c), 551.107(7)(c), 559.555(2)(c)3., 560.141(1)(c)3., 744.3135(4)(b), 943.13(5), 985.644(3)(c), 1002.395(6)(b)3., 1002.421(3)(a), 1012.32(3), 1012.465, 1012.467, 1012.56, 381.986, 381.988, 493.6105 FS. History—New 11-30-04, Amended 6-9-08, 9-28-09, 5-21-12, 9-4-16, \_\_\_\_\_.*

STATE OF FLORIDA  
DEPARTMENT OF LAW ENFORCEMENT  
CHAPTER 11C-8, FLORIDA ADMINISTRATIVE CODE  
AMENDING RULE 11C-8.001  
REVIEW PROCEDURES

SUMMARY OF THE RULE

The rule change is requested to incorporate the Application for Personal Review of Florida Criminal History Record form referenced in rule.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

Amending the rule to incorporate the Application for Personal Review of Florida Criminal History Record form in rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND

LEGISLATIVE RATIFICATION

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative

ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

#### FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

#### SUMMARY OF HEARING

No requests for a public hearing or written comments have been received.



## NOTICE OF PROPOSED RULE

NAME OF AGENCY: Department of Law Enforcement

Division or Board: Division of Criminal Justice Information Services

Rule Chapter: 11C-8; Criminal History Records; Review and Correction

RULE NO.:	RULE TITLE:
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11C-8.001: Review Procedures

PURPOSE AND EFFECT:
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Rule 11C-8.001: Updating the rule to incorporate the Application for Personal Review of Florida Criminal History Records form in rule.

SUMMARY:
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Incorporating a form referenced in rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE
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RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

OTHER RULES INCORPORATING THIS RULE: N/A. EFFECT ON THOSE OTHER RULES: N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
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RULEMAKING AUTHORITY:	943.03(4), 943.05(2)(d), 943.056 FS
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LAW IMPLEMENTED:	943.056 FS
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IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME:	Friday, January 10, 2025, at 10:00 a.m.
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PLACE:	Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.
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AMERICANS WITH DISABILITIES ACT: Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting:
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Rachel Truxell at 850-410-7100, or [racheltruxell@fdle.state.fl.us](mailto:racheltruxell@fdle.state.fl.us), or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:

Rachel Truxell at 850-410-7100, or [racheltruxell@fdle.state.fl.us](mailto:racheltruxell@fdle.state.fl.us), or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.

NAME OF PERSON ORIGINATING PROPOSED RULE: Director Lucy Saunders

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 4, 2024

THE TEXT OF THE PROPOSED RULE IS:

**11C-8.001 Review Procedures.**

(1) Any individual wishing to review his criminal history record must submit a request in writing or complete an Application for Personal Review of Florida Criminal History Record FDLE form (CHRM-006 rev. May 2022), hereby incorporated by reference \_\_\_\_\_. The Application for Personal Review of Florida Criminal History Record form may be obtained from:

Florida Department of Law Enforcement (FDLE)

Criminal History Record Maintenance Section

Post Office Box 1489

Tallahassee, Florida 32302-1489

Email: [CHRM@fdle.state.fl.us](mailto:CHRM@fdle.state.fl.us)

Telephone Number: (850)410-7898

Website: <http://www.fdle.state.fl.us/Criminal-History-Records/Personal-Review.aspx>

(2) - (9) No change.

*Rulemaking Authority 943.03(4), 943.05(2)(d), 943.056 FS. Law Implemented 943.056 FS. History—New 6-24-76, Amended 11-12-81, Formerly 11C-8.01, Amended 7-7-99, 6-9-08, 8-30-23, 7-18-24, \_\_\_\_\_..*

STATE OF FLORIDA  
DEPARTMENT OF LAW ENFORCEMENT  
CHAPTER 11C-11, FLORIDA ADMINISTRATIVE CODE  
AMENDING RULE 11C-11.001  
PROCEDURES ON CRIMINAL JUSTICE DATA  
TRANSPARENCY

SUMMARY OF THE RULE

The rule change is requested to reference the current website in rule.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

Amending the rule to the current criminal justice data transparency website.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND

LEGISLATIVE RATIFICATION

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

### FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

### SUMMARY OF HEARING

No requests for a public hearing or written comments have been received.

## NOTICE OF PROPOSED RULE

NAME OF AGENCY: Department of Law Enforcement

Division or Board: Division of Criminal Justice Information Services

Rule Chapter: 11C-11; Criminal Justice Data Transparency

RULE NO.:	RULE TITLE:
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11C-11.001: Procedures on Criminal Justice Data Transparency
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PURPOSE AND EFFECT:
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Updating the rule to reflect the current website.

### SUMMARY:

Updating the rule to reflect the current website.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

**OTHER RULES INCORPORATING THIS RULE:** N/A. **EFFECT ON THOSE OTHER RULES:** N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 943.03(4), 943.6871(5) FS

**LAW IMPLEMENTED:** 943.6871 FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

**DATE AND TIME:** Friday, January 10, 2025, at 10:00 a.m.

**PLACE:** Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.

**AMERICANS WITH DISABILITIES ACT:** Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting:

Rachel Truxell at 850-410-7100, or [racheltruxell@fdle.state.fl.us](mailto:racheltruxell@fdle.state.fl.us), or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:**

Rachel Truxell at 850-410-7100, or [racheltruxell@fdle.state.fl.us](mailto:racheltruxell@fdle.state.fl.us), or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.

NAME OF PERSON ORIGINATING PROPOSED RULE: Director Lucy Saunders

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 4, 2024

THE TEXT OF THE PROPOSED RULE IS:

**11C-11.001 Procedures on Criminal Justice Data Transparency.**

(1) – (4) No change.

(5) The Criminal Justice Data Transparency information is accessed by the public at <https://www.fdle.state.fl.us/CJDT> ~~http://www.fdle.state.fl.us/FSAC/CJDT/CJDT-Home~~. This website also contains information about the data as required by Section 943.6871(5), F.S.

*Rulemaking Authority 943.03(4), 943.6871(5) FS. Law Implemented 943.6871 FS. History—New 5-5-20; Amended*

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STATE OF FLORIDA  
DEPARTMENT OF LAW ENFORCEMENT  
CHAPTER 11D-12, FLORIDA ADMINISTRATIVE CODE  
AMENDING RULES 11D-12.001, 11D-12.002,  
AND CREATING RULES 11D-12.003 AND 11D-12.004  
SEXUAL OFFENSE KIT TRACKING DATABASE

SUMMARY OF THE RULE

Amends and adds definitions pursuant to changes in §943.326 F.S.; Updates kit-tracking procedures due to changes in §943.326 F.S.; Provides definitions for terms used in Rule 11D-12.004 due to the implementation of §943.327 F.S.; Establishes funding criteria and procedures for the Forensic Investigative Genetic Genealogy Grant Program due to the implementation of §943.327 F.S.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

11D-12.001(2): Amends rule text to correct misspelled word.

11D-12.001(3): Amends rule text to remove STACS<sup>TM</sup>DNA and replace it with Invita Healthcare Technologies.

11D-12.001(5): Amends rule text to add term and definition of “User.”

11D-12.001(6): Amends rule text to renumber definition of “Forensic Medical Exam Facility” from (5) to (6).

11D-12.001(7): Amends rule text to renumber definition of “Vendor” from (6) to (7).

11D-12.001(8): Amends rule text to renumber definition of “Non-reporting kit” from (7) to (8).

11D-12.001(9): Amends rule text to add term and definition of “Assigned officer.”

11D-12.001(10): Amends rule text to renumber definition of “DNA match” from (9) to (10).

11D-12.001(11): Amends rule text to add term and definition of “Survivor portal.”

11D-12.002(1)(a)5.: Amends rule text to specify the kit storage and transfer procedures.

11D-12.002(1)(a)7.: Amends rule text to remove “The administrator” and add “A user.”

11D-12.002(1)(a)9.: Amends rule text to update the procedure if a report is made regarding a stored non-reporting kit.

11D-12.002(1)(a)10.: Amends rule text to add the procedure for storing and transferring non-reporting kits.

11D-12.002(1)(b)1.: Amends rule text to clarify the procedure for entering kits into the software program.

11D-12.002(1)(b)2.: Amends rule text to add “users.”

11D-12.002(1)(b)3.: Amends rule text to add “users.”

11D-12.002(1)(b)5.: Amends rule text to remove “The administrator” and add “A user.”

11D-12.002(1)(b)6.: Amends rule text to add the procedure on how to document the change if a report is made regarding a stored non-reporting kit.

11D-12.002(1)(b)7.: Amends rule text to add the procedure on when and how to contact the department to update the reporting status.

11D-12.002(1)(c)1.: Amends rule text to add “users.”

11D-12.002(1)(c)2.: Amends rule text to add “users.”

11D-12.002(1)(c)4.: Amends rule text to add “users.”

11D-12.002(1)(c)5.: Amends rule text to add “users.”

11D-12.003(1): Adds a definition of “SNP profile.”

11D-12.003(2): Adds a definition of “STR profile.”

11D-12.003(3): Adds a definition of “DNA record.”

11D-12.003(4): Adds a definition of “Participating entities.”

11D-12.003(5): Adds a definition of “Unidentified Human Remains.”

11D-12.004(1)(a)1.: Establishes that participating entities will comply with Florida law and constitution.

11D-12.004(1)(a)2.: Establishes that participating entities will ensure a contracted vendor will comply with international standards and hold accreditation certification.

11D-12.004(1)(a)3.: Establishes that participating entities will ensure a contracted laboratory demonstrates compliance with Quality Assurance Standards for Forensic DNA Testing Laboratories as issued by the FBI Direction, evidenced by a current accreditation certificate.

11D-12.004(1)(a)4.: Establishes that participating entities will ensure a vendor not accredited as required in (1)(a)2. or 3. will subcontract a qualifying vendor.

11D-12.004(1)(a)5.: Establishes that participating entities will ensure compliance with rules for state financial assistance programs.

11D-12.004(1)(a)6.: Establishes that participating entities will ensure that a STR profile has been uploaded to CODIS prior to the initiation of forensic investigative genetic genealogy.

11D-12.004(1)(b)1.: Establishes the procedure for laboratories for offering STR profiles to CODIS.

11D-12.004(1)(b)2.: Establishes the procedure for laboratories of providing confirmation to grant applicants.

11D-12.004(1)(c)1.: Establishes the obligation of law enforcement agencies to ensure cases and samples meet applicable Terms of Service of genealogy databases that permit law enforcement searching and use.

11D-12.004(1)(c)2.a.-c.: Establishes the requisite attestation of law enforcement agency grant applicants.

11D-12.004(1)(d)1.: Establishes the obligation of district medical examiner offices to ensure cases and samples meet applicable Terms of Service of genealogy databases that permit law enforcement searching and use.

11D-12.004(1)(d)2.: Establishes the requisite attestation of district medical examiner offices grant applicants.

11D-12.004(1)(e)1.: Establishes the procedure for assistant state attorneys to review criminal cases and UHR cases with a suspected nexus to homicide and attest whether a case would be prosecuted.

11D-12.004(1)(e)1.a.: Specifies that the procedure in 11D-12.004(1)(e)1. is not an agreement to prosecute in the absence of sufficient evidence or support.

11D-12.004(1)(e)1.b.: Specifies the significance and impact of the assistant state attorney's signature on the grant application.

11D-12.004(2): Addresses criteria exceptions and establishes that exceptions may be granted based on availability of funds and approval of department program management.

11D-12.004(3): Establishes that case criteria are further defined by the Department and will be published to a website whenever grant applications are being accepted.

11D-12.004(4): Establishes that technical criteria for evidentiary samples are further defined by the Department, will be published to a website whenever grant applications are being accepted, and are subject to change based on evolving technology.

11D-12.004(5): Establishes that eligible vendor criteria have been defined and are subject to applicable procurement laws and rules.

11D-12.004(6): Establishes the procedure for the distribution of awards.

11D-12.004(7): Establishes the Department's obligation to offer laboratory services and investigative support to grantees.

11D-12.004(8): Establishes that the Department Forensic Services division may apply and is subject to the same criteria as other grantees.

#### SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

### FEDERAL COMPARISON STATEMENT

There are no federal requirements dealing with this topic.

### SUMMARY OF HEARING

No requests for a public hearing or written comments have been received.

## Notice of Proposed Rule

NAME OF AGENCY: Department of Law Enforcement

Division or Board: Division of Local Law Enforcement Assistance

RULE NO.:	RULE TITLE:
11D-12.001	Definitions
11D-12.002	Procedures
11D-12.003	Definitions
11D-12.004	Procedures

PURPOSE AND EFFECT:
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Subsection 11D-12.001(2), F.A.C.:	Amends rule text to correct misspelled word.
Subsection 11D-12.001(3), F.A.C.:	Amends rule text to remove STACS <sup>TM</sup> DNA and replace it with Invita Healthcare Technologies.
Subsection 11D-12.001(5), F.A.C.:	Amends rule text to add term and definition of “User.”
Subsection 11D-12.001(6), F.A.C.:	Amends rule text to renumber definition of “Forensic Medical Exam Facility” from (5) to (6).
Subsection 11D-12.001(7), F.A.C.:	Amends rule text to renumber definition of “Vendor” from (6) to (7).
Subsection 11D-12.001(8), F.A.C.:	Amends rule text to renumber definition of “Non-reporting kit” from (7) to (8).
Subsection 11D-12.001(9), F.A.C.:	Amends rule text to add term and definition of “Assigned officer.”
Subsection 11D-12.001(10), F.A.C.:	Amends rule text to renumber definition of “DNA match” from (9) to (10).
Subsection 11D-12.001(11), F.A.C.:	Amends rule text to add term and definition of “Survivor portal.”
Paragraph 11D-12.002(1)(a)5., F.A.C.:	Amends rule text to specify the kit storage and transfer procedures.
Paragraph 11D-12.002(1)(a)7., F.A.C.:	Amends rule text to remove “The administrator” and add “A user.”
Paragraph 11D-12.002(1)(a)9., F.A.C.:	Amends rule text to update the procedure if a report is made regarding a stored non-reporting kit.
Paragraph 11D-12.002(1)(a)10., F.A.C.:	Amends rule text to add the procedure for storing and transferring non-reporting kits.
Paragraph 11D-12.002(1)(b)1., F.A.C.:	Amends rule text to clarify the procedure for entering kits into the software program.
Paragraph 11D-12.002(1)(b)2., F.A.C.:	Amends rule text to add “users.”
Paragraph 11D-12.002(1)(b)3., F.A.C.:	Amends rule text to add “users.”

Paragraph 11D-12.002(1)(b)5., F.A.C.:	Amends rule text to remove “The administrator” and add “A user.”
Paragraph 11D-12.002(1)(b)6., F.A.C.:	Amends rule text to add the procedure on how to document the change if a report is made regarding a stored non-reporting kit.
Paragraph 11D-12.002(1)(b)7., F.A.C.:	Amends rule text to add the procedure on when and how to contact the department to update the reporting status.
Paragraph 11D-12.002(1)(c)1., F.A.C.:	Amends rule text to add “users.”
Paragraph 11D-12.002(1)(c)2., F.A.C.:	Amends rule text to add “users.”
Paragraph 11D-12.002(1)(c)4., F.A.C.:	Amends rule text to add “users.”
Paragraph 11D-12.002(1)(c)5., F.A.C.:	Amends rule text to add “users.”
Subsection 11D-12.003(1), F.A.C.:	Adds definition of “SNP profile.”
Subsection 11D-12.003(2), F.A.C.:	Adds definition of “STR profile.”
Subsection 11D-12.003(3), F.A.C.:	Adds definition of “DNA record.”
Subsection 11D-12.003(4), F.A.C.:	Adds definition of “Participating entities.”
Subsection 11D-12.003(5), F.A.C.:	Adds definition of “Unidentified Human Remains.”
Paragraph 11D-12.004(1)(a)1., F.A.C.:	Establishes that participating entities will comply with Florida law and constitution.
Paragraph 11D-12.004(1)(a)2., F.A.C.:	Establishes that participating entities will ensure a contracted vendor will comply with international standards and hold accreditation certification.
Paragraph 11D-12.004(1)(a)3., F.A.C.:	Establishes that participating entities will ensure a contracted laboratory demonstrates compliance with Quality Assurance Standards for Forensic DNA Testing Laboratories as issued by the FBI Direction, evidenced by a current accreditation certificate.
Paragraph 11D-12.004(1)(a)4., F.A.C.:	Establishes that participating entities will ensure a vendor not accredited as required in (1)(a)2. or 3. will subcontract a qualifying vendor.
Paragraph 11D-12.004(1)(a)5., F.A.C.:	Establishes that participating entities will ensure compliance with rules for state financial assistance programs.
Paragraph 11D-12.004(1)(a)6., F.A.C.:	Establishes that participating entities will ensure that a STR profile has been uploaded to CODIS prior to the initiation of forensic investigative genetic genealogy.
Paragraph 11D-12.004(1)(b)1., F.A.C.:	Establishes the procedure for laboratories for offering STR profiles to CODIS.



Paragraph 11D-12.004(1)(b)2., F.A.C.:	Establishes the procedure for laboratories of providing confirmation to grant applicants.
Paragraph 11D-12.004(1)(c)1., F.A.C.:	Establishes the obligation of law enforcement agencies to ensure cases and samples meet applicable Terms of Service of genealogy databases that permit law enforcement searching and use.
Paragraph 11D-12.004(1)(c)2.a.-c., F.A.C.:	Establishes the requisite attestation of law enforcement agency grant applicants.
Paragraph 11D-12.004(1)(d)1., F.A.C.:	Establishes the obligation of district medical examiner offices to ensure cases and samples meet applicable Terms of Service of genealogy databases that permit law enforcement searching and use.
Paragraph 11D-12.004(1)(d)2., F.A.C.:	Establishes requisite attestation of district medical examiner offices grant applicants.
Paragraph 11D-12.004(1)(e)1., F.A.C.:	Establishes the procedure for assistant state attorneys to review criminal cases and UHR cases with a suspected nexus to homicide and attest whether a case would be prosecuted.
Paragraph 11D-12.004(1)(e)1.a., F.A.C.:	Specifies that the procedure in 11D-12.004(1)(e)1. is not an agreement to prosecute in the absence of sufficient evidence or support.
Paragraph 11D-12.004(1)(e)1.b., F.A.C.:	Specifies the significance and impact of the assistant state attorney's signature on the grant application.
Subsection 11D-12.004(2), F.A.C.:	Addresses criteria exceptions and establishes that exceptions may be granted based on availability of funds and approval of department program management.
Subsection 11D-12.004(3), F.A.C.:	Establishes that case criteria are further defined by the Department and will be published to a website whenever grant applications are being accepted.
Subsection 11D-12.004(4), F.A.C.:	Establishes that technical criteria for evidentiary samples are further defined by the Department, will be published to a website whenever grant applications are being accepted, and are subject to change based on evolving technology.
Subsection 11D-12.004(5), F.A.C.:	Establishes that eligible vendor criteria have been defined and are subject to applicable procurement laws and rules.
Subsection 11D-12.004(6), F.A.C.:	Establishes the procedure for the distribution of awards.
Subsection 11D-12.004(7), F.A.C.:	Establishes the Department's obligation to offer laboratory services and investigative support to grantees.
Subsection 11D-12.004(8), F.A.C.:	Establishes that the Department Forensic Services division may apply and is subject to the same criteria as other grantees.

#### **SUMMARY:**

Amends and adds definitions pursuant to changes in §943.326 F.S.; updates kit-tracking procedures due to changes §943.326 F.S.; provides definitions for terms used in Rule 11D-12.004 due to the implementation of §943.327 F.S.;

establishes funding criteria and procedures for the Forensic Investigative Genetic Genealogy Grant Program due to the implementation of §943.327 F.S.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE**

**RATIFICATION:** The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

**OTHER RULES INCORPORATING THIS RULE:** N/A. **EFFECT ON THOSE OTHER RULES:** N/A. The proposed rule is not expected to exceed any of the criteria set forth in Section 120.541(2)(a), F.S., and thus, a legislative ratification is not required under Section 120.541(3), F.S. This determination is based upon the nature of the subject matter of the proposed amendment.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 943.03(4), 943.326(4)(d), FS.

**LAW IMPLEMENTED:** 943.326(3), 943.326(4), FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):**

**DATE AND TIME:** Friday, January 10, 2025, at 10:00 a.m.

**PLACE:** Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308.

**AMERICANS WITH DISABILITIES ACT:** Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting:

Jeff Dambly at 850-410-7676, or JeffDambly@fdle.state.fl.us, or write to Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:**

Jeff Dambly at 850-410-7676, or JeffDambly@fdle.state.fl.us, or write to Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Bureau Chief Leigh Clark

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Governor and Cabinet

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 17, 2024

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** November 4, 2024

THE FULL TEXT OF THE PROPOSED RULE IS:

**11D-12.001 Definitions.**

As used in Rule 11D-12.002, F.A.C., the following definitions apply:

- (1) “Kit” shall mean a Florida sexual offense evidence kit or other sealed package containing samples collected from the alleged victim’s body.
- (2) “Participating Entities” shall mean entities that participate in the statewide database as described in ~~Section~~ Section 943.326(4)(c), F.S.
- (3) “Software” shall mean ~~STACS™~~ DNA Invita Healthcare Technologies Track-Kit™ cloud-based software.
- (4) “Administrator” shall mean a participating entity’s designated individual who shall have add, delete, and editing authority of its users.
- (5) “User” shall mean a member of a participating entity who has login access to the “software”
- ~~(5)~~(6) “Forensic Medical Exam Facility” means a participating entity responsible for collecting a kit, or other DNA evidence from an alleged victim of a sexual offense.
- ~~(6)~~ (7) “Vendor” shall mean a company doing business with FDLE to prepare barcoded “kits” for the statewide database.
- (7) (8) “Non-reporting kit” shall mean a “kit” collected from an alleged victim who has not filed a report with law enforcement, and whose identity is not disclosed to law enforcement.
- (8) (9) “Assigned officer” shall mean a “user” responsible for releasing or not releasing a “DNA match” to the “Survivor portal”
- (10) “DNA match” shall mean an association made to a DNA reference sample from a person deemed by investigators to be a suspect or person of interest via direct submission to the laboratory or through the DNA investigative support database.
- (11) “Survivor portal” shall mean the software page accessible by the alleged victim.

*Rulemaking Authority 943.03(4), 943.326(4)(d) FS. Law Implemented 943.326 FS. History 7-20-22 –New 7-20-22 Amended,\_\_\_\_\_.*

**11D-12.002 Procedures.**

- (1) Kit tracking. Participating Entities shall utilize the software and identify at least one administrator. The administrator’s contact information shall be provided to FDLE.
  - (a) Forensic Medical Exam Facilities.
    1. Barcoded kits obtained from the vendor shall be utilized during the exam. In the event a barcoded kit is not available, FDLE shall be contacted.
    2. The software shall be utilized to receive kits from the vendor.
    3. The examiner shall claim a kit and indicate the collection date in real time, or no later than 24 hours after the collection.
    4. If the alleged victim is under 18 years old, it shall be indicated.
    5. If the alleged victim is not filing a police report, it shall be documented, along with the department location of the kit storage. A facility member shall provide the non-reporting kit to a law enforcement agency to facilitate the transfer to the department, or utilize the department mailing procedure to transfer the non-reporting kit to the department.
    6. The examiner shall provide the alleged victim with the unique kit number, password, and instructions to be able to access the software.
    7. ~~The administrator~~ A user shall reset the alleged victim’s password, when applicable.
    8. The kit shall be securely and properly stored at the facility until transferred to the law enforcement agency,

when applicable.

9. If non-reporting kits are stored, following a report being made, a user shall document the change and the date of the report. It shall be indicated when the kit has been destroyed, when applicable.

(10) All non-reporting kits shall be securely stored until transferred to the department for storage. The transfer may be made by a law enforcement agency.

(b) Law Enforcement Agencies.

1. Agency members users shall enter the kit pickup date from the forensic medical exam facility, the and case number, and the assigned officer in real time, or no later than 24 hours after the pickup. Non-reporting kits only being transported to the department do not require any software entry.

2. Agency members users shall document when the kit is picked up from the laboratory in real time, or no later than 24 hours after the pickup.

3. Agency members users shall ensure the release of a DNA match, as described in Section 943.326(4)(e), F.S.

4. It shall be indicated if the kit has been destroyed, and why, or if the storage agency changes (e.g. for court or transfer to another law enforcement agency).

5. ~~The administrator~~ A user shall reset the alleged victim's password, when applicable.

6. If a non-reporting kits is stored and a subsequent report is made regarding the stored kit, a user shall document the change and the date of the report.

7. If a report is received such that a non-reporting kit falls under 943.326(1)(b), F.S., an agency member shall contact the department to update the reporting status.

(c) Laboratories within the statewide criminal analysis laboratory system.

1. Laboratory members users shall enter the date the kit was received from a law enforcement agency and the laboratory case number in real time, or no later than 24 hours after the receipt.

2. Laboratory members users shall indicate when the kit is ready for law enforcement pickup.

3. A completion date shall be entered once the laboratory analysis is finished, and the report has been released to the law enforcement agency.

4. Laboratory members users shall enter the date of a DNA match, if applicable.

5. Laboratory members users shall indicate transfer of the kit into long-term storage, if applicable.

6. If kits are stored, it shall be indicated if the kit is destroyed and the reason for destruction.

(2) Kit distribution. Vendors shall utilize the software to create pending orders, receive lots of kits and to fill orders. The vendor shall create the unique barcodes for the kits and passwords for the alleged victims, and include this information within the kit.

*Rulemaking Authority 943.03(4), 943.326(4)(d) FS. Law Implemented 943.326 FS. History 7-20-22 –New 7-20-22 Amended,\_\_\_\_\_.*

### **11D-12.003 Definitions**

As used in Rule 11D-12.004, F.A.C., the following definitions apply:

(1) “SNP profile” shall mean a DNA profile comprised of Single Nucleotide Polymorphism data.

(2) “STR profile” shall mean a Short Tandem Repeat DNA profile generated by or owned by a participating member of the statewide criminal laboratory analysis system (943.32 FS) with access to the state CODIS database (943.325 FS).

(3) “DNA record” means all information associated with the collection and analysis of a person’s DNA sample, including the distinguishing characteristics collectively referred to as a DNA profile, and includes STR profiles, SNP profiles, and the results of whole genome sequencing. (119.071 FS)

(4) “Participating entities” shall mean Florida law enforcement agencies who employ law enforcement officers as defined in s. 943.10, district medical examiners and staff as defined under c. 406, and the Department.

(5) “Unidentified Human Remains (UHR)” shall refer to unidentified persons, decedents, or portions and body parts thereof.

*Rulemaking Authority 943.03(4), 943.326(4)(d) FS. Law Implemented 943.327 FS. History \_\_\_\_\_ – New \_\_\_\_\_.*

#### **11D-12.004 Procedures**

##### **(1) Forensic Investigative Genetic Genealogy Grant Program.**

##### **(a) Participating entities shall ensure:**

1. Compliance with applicable portions of 119 FS as pertains to DNA records and investigative genetic genealogy information and materials and s 24(a) Art. I of the State Constitution.

2. Any genetic genealogy laboratory vendor contracted for the generation of SNP profiles demonstrates compliance with International Organization for Standardization ISO/IEC 17025 International Standards for Testing and Calibration Laboratories and holds a current accreditation certificate.

3. Any forensic vendor laboratory contracted for the generation of STR profiles demonstrates compliance with (1)(a)2. and the Quality Assurance Standards for Forensic DNA Testing Laboratories as issued by the Director of the FBI as evidenced on a current accreditation certificate.

4. Any investigative genetic genealogy vendor fulfills (1)(a)2. or (1)(a)3., or if the vendor does not perform laboratory testing, that the vendor utilizes a subcontracted vendor laboratory that meets the required accreditation(s).

5. Compliance with Department rules for state financial assistance pass-through programs regarding procurement and performance metric reporting.

6. That a STR profile has minimally been uploaded to the state CODIS database prior to initiation of forensic investigative genetic genealogy for criminal cases and to the state CODIS database or directly to the national CODIS database for UHR cases.

##### **(b) Laboratories within the statewide criminal analysis laboratory system**

1. STR profiles shall be offered to CODIS in accordance with 943.325 FS, 42 U.S.C. §14132, and 34 U.S.C. § 12592(a)(4)

2. Confirmation that a STR profile for a putative perpetrator or unidentified person or remains shall be provided to grant applicants

##### **(c) Law Enforcement Agencies**

1. Grant applicants will ensure cases and samples meet the Terms of Service of applicable public genetic genealogy databases that permit law enforcement searching and use.

##### **2. Grant applicants shall attest**

a. That all investigative leads and resources other than Forensic Investigative Genetic Genealogy have been exhausted in attempts to obtain actionable investigative leads.

b. If a UHR is reasonably believed to be the victim of a homicide.

c. That UHR cases and details have been added to the National Missing and Unidentified Persons System (NamUs) database.

##### **(d) District Medical Examiner Offices**

1. Grant applicants will ensure cases and samples meet the Terms of Service of applicable public genetic genealogy databases that permit law enforcement searching and use specific to Unidentified Human Remains.

##### **2. Grant applicants shall attest**

that UHR cases and details have been added to the National Missing and Unidentified Persons System (NamUs) database.

##### **(e) Assistant State Attorneys**

1. For criminal cases and UHR cases with a suspected nexus to homicide, the Assistant State Attorney of the applicable jurisdiction shall agree to review the case scenario and attest that a case, if a person of interest is identified, would be pursued up to and including prosecution if possible.

a. The above is not an agreement to prosecute in the absence of sufficient evidence, witnesses, or support.

b. Signature of the Assistant State Attorney for a judicial circuit, where required on the grant application, serves to further confirm that a violent crime has occurred and/or that a UHR is reasonably believed to be the victim of a homicide.

(2) Exceptions to case, technical, and vendor criteria may be granted on a case-by-case basis based on the availability of funds and approval of department program management.

(3) Case criteria are further defined by the Department, subject to genetic genealogy database vendor terms, and published to a website whenever grant applications are being accepted.

(4) Technical criteria for evidentiary samples are further defined by the Department and published to a website whenever grant applications are being accepted and are subject to changes based on evolving technological advances.

(5) Eligible vendor criteria are defined above and subject to applicable procurement laws and rules.

(6) Department distribution of awards shall follow the order in which applications were received, approved, and all requirements for receipt of funds met.

(7) The Department shall offer laboratory services and investigative support to grantees upon request and in accordance with department policy.

(8) The Department Forensic Services division, as part of a state law enforcement agency, may also apply and must meet the same criteria as other grantees.

*Rulemaking Authority 943.03(4), 943.326(4)(d) FS. Law Implemented 943.327 FS. History \_\_\_\_\_ – New \_\_\_\_\_.*