

Select Year: 2009

The 2009 Florida Statutes

Title XLVII
CRIMINAL PROCEDURE AND
CORRECTIONS

Chapter 943
DEPARTMENT OF LAW
ENFORCEMENT

View Entire
Chapter

943.139 Notice of employment, appointment, or separation; response by the officer; duty of commission.--

(1) An employing agency shall immediately notify the commission in writing, on a form adopted by the commission, of the employment or appointment, or separation from employment or appointment, of any officer. The employing agency must maintain the original form and submit, or electronically transmit, this information to the commission. Separation from employment or appointment includes any firing, termination, resignation, retirement, or voluntary or involuntary extended leave of absence of any officer.

(2) In a case of separation from employment or appointment, the employing agency shall execute and maintain an affidavit-of-separation form adopted by the commission, setting forth in detail the facts and reasons for such separation. The information contained in the affidavit-of-separation form must be submitted, or electronically transmitted, to the commission. If the officer is separated for his or her failure to comply with s. 943.13, the notice must so specify. The affidavit must be executed under oath and constitutes an official statement within the purview of s. 837.06. The affidavit must include conspicuous language that intentional false execution of the affidavit constitutes a misdemeanor of the second degree. Any officer who has separated from employment or appointment must be permitted to respond to the separation, in writing, to the commission, setting forth the facts and reasons for the separation as he or she understands them.

(3) Before employing or appointing an officer, a subsequent employing agency must contact the commission to inquire as to the facts and reasons an officer became separated from any previous employing agency. The commission shall, upon request and without prejudice, provide to the subsequent employing agency all information that is required under subsections (1) and (2) and that is in its possession.

(4) An administrator of an employing agency who discloses information pursuant to this section is immune from civil liability in accordance with the provisions of s. 768.095.

History.--s. 11, ch. 84-258; s. 9, ch. 86-187; s. 2, ch. 86-286; ss. 5, 6, ch. 87-186; s. 5, ch. 91-429; s. 4, ch. 92-131; s. 11, ch. 93-252; s. 1633, ch. 97-102; s. 5, ch. 97-225.