

By the Committee on Criminal Justice and Senator Dudley

307-1734A-98

1                                   A bill to be entitled  
2           An act relating to mutual aid agreements;  
3           amending s. 23.1225, F.S.; redefining the term  
4           "mutual aid agreement" to include certain  
5           agreements between one or more law enforcement  
6           agencies and either a school board that employs  
7           school safety officers or a state university  
8           that employs or appoints university police  
9           officers; providing for a state university to  
10          enter and lend assistance pursuant to such  
11          agreements; providing an effective date.

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

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15           Section 1. Section 23.1225, Florida Statutes, is  
16 amended to read:

17           23.1225 Mutual aid agreements.--

18           (1) The term "mutual aid agreement," as used in this  
19 part, refers to one of the following types of agreement:

20           (a) A voluntary cooperation written agreement between  
21 two or more law enforcement agencies, or between one or more  
22 law enforcement agencies and either a school board that  
23 employs school safety officers or a state university that  
24 employs or appoints university police officers in accordance  
25 with s. 240.268, which agreement permits voluntary cooperation  
26 and assistance of a routine law enforcement nature across  
27 jurisdictional lines. The agreement must specify the nature  
28 of the law enforcement assistance to be rendered, the agency  
29 or entity that shall bear any liability arising from acts  
30 undertaken under the agreement, the procedures for requesting  
31 and for authorizing assistance, the agency or entity that has

1 command and supervisory responsibility, a time limit for the  
2 agreement, the amount of any compensation or reimbursement to  
3 the assisting agency or entity, and any other terms and  
4 conditions necessary to give it effect. Examples of law  
5 enforcement activities that may be addressed in a voluntary  
6 cooperation written agreement include establishing a joint  
7 city-county task force on narcotics smuggling or authorizing  
8 school safety officers to enforce laws in an area within 1,000  
9 feet of a school or school board property.

10 (b) A requested operational assistance written  
11 agreement between two or more law enforcement agencies, or  
12 between one or more law enforcement agencies and either a  
13 school board that employs school safety officers or a state  
14 university that employs or appoints university police officers  
15 in accordance with s. 240.268, which agreement is for the  
16 rendering of assistance in a law enforcement emergency. The  
17 agreement must specify the nature of the law enforcement  
18 assistance to be rendered, the agency or entity that shall  
19 bear any liability arising from acts undertaken under the  
20 agreement, the procedures for requesting and for authorizing  
21 assistance, the agency or entity that has command and  
22 supervisory responsibility, a time limit for the agreement,  
23 the amount of any compensation or reimbursement to the  
24 assisting agency or entity, and any other terms and conditions  
25 necessary to give it effect. An example of the use of a  
26 requested operational assistance written agreement is to meet  
27 a request for assistance due to a civil disturbance or other  
28 emergency as defined in s. 252.34.

29 (c) A combination of the agreements described in  
30 paragraphs (a) and (b).

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1           (2) A mutual aid agreement may allow for discretion by  
2 the parties as to when, whether, and to what extent assistance  
3 will be available.

4           (3) A mutual aid agreement may be entered into by:

5           (a) A sheriff;

6           (b) A mayor or chief executive officer of a  
7 municipality or county on behalf of a law enforcement agency,  
8 if authorized by the governing body of the municipality or  
9 county; ~~or~~

10           (c) A school board that employs school safety  
11 officers; ~~or-~~

12           (d) A state university that employs or appoints  
13 university police officers in accordance with s. 240.268.

14           (4) A copy of a mutual aid agreement must be filed  
15 with the Department of Law Enforcement within 14 days after it  
16 is signed.

17           (5) In the event of a disaster or emergency such that  
18 a state of emergency is declared by the Governor pursuant to  
19 chapter 252, the requirement that a requested operational  
20 assistance agreement be a written agreement for rendering of  
21 assistance in a law enforcement emergency may be waived by the  
22 participating agencies for a period of up to 90 days from the  
23 declaration of the disaster.

24           (a) When a law enforcement agency, ~~or~~ a school board  
25 employing that employs school safety officers, or a state  
26 university employing or appointing university police officers  
27 in accordance with s. 240.268 lends assistance pursuant to  
28 this subsection, all powers, privileges, and immunities listed  
29 in s. 23.127, except with regard to interstate mutual aid  
30 agreements, apply to the agency or entity, provided that the  
31 law enforcement, ~~or~~ school board, or university employees

1 rendering services are being requested and coordinated by the  
2 affected local law enforcement executive in charge of law  
3 enforcement operations.

4 (b) A listing of such agencies or entities and the  
5 officers and employees of such agencies or entities rendering  
6 assistance pursuant to this subsection must be maintained by  
7 the agency or entity requesting such assistance and filed at  
8 the end of the 90-day period with the Florida Department of  
9 Law Enforcement.

10 Section 2. This act shall take effect July 1, 1998.

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12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
13 COMMITTEE SUBSTITUTE FOR  
14 Senate Bill 1932

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16 Provides authority for university police officers to be  
17 parties to mutual aid agreements among law enforcement  
18 agencies by including "a state university that employs or  
19 appoints university police officers in accordance with s.  
20 240.268" as authorized law enforcement that may:

- 21 . enter into a voluntary cooperation written agreement  
22 between agencies to permit voluntary cooperation and  
23 assistance of a routine law enforcement nature across  
24 jurisdictional lines, and
- 25 . enter into a requested operational assistance written  
26 agreement to render assistance in a law enforcement  
27 emergency or disaster that results in a state of  
28 emergency being declared by the Governor.

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