

By the Committee on Law Enforcement & Public Safety and
Representative Futch

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 of the
11 year in which enacted.

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13 HOUSE SUMMARY

14 Redefines the term "mutual aid agreement" to include
15 certain agreements between one or more law enforcement
16 agencies and either a school board that employs school
17 safety officers or a state university that employs or
18 appoints university police officers. Provides for a state
19 university to enter into and lend assistance pursuant to
20 such agreements.

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