

By Representative Goode

1 A bill to be entitled
2 An act relating to community redevelopment and
3 neighborhood improvement; amending s. 163.340,
4 F.S.; including the reduction or prevention of
5 crime within community redevelopment activities
6 under the Community Redevelopment Act of 1969
7 and defining "community policing innovation";
8 amending ss. 163.345, 163.350, 163.356,
9 163.358, 163.360, 163.361, 163.370, and
10 163.387, F.S.; including the development and
11 implementation of community policing
12 innovations in provisions relating to the
13 encouragement of private enterprise
14 participation in redevelopment, elements of the
15 workable program, exercise of powers under the
16 act, and elements of the community
17 redevelopment plan; authorizing the county or
18 municipality to appropriate funds for community
19 policing innovations; authorizing use of moneys
20 in the redevelopment trust fund for community
21 policing innovations; providing an additional
22 requirement for acquisition of land for
23 nonresidential uses; amending ss. 163.502,
24 163.503, 163.506, 163.511, 163.512, 163.513,
25 163.514, 163.516, 163.519, and 163.521, F.S.;
26 including crime prevention through development
27 and implementation of community policing
28 innovations in powers of neighborhood
29 improvement districts under the Safe
30 Neighborhoods Act; authorizing use of special
31 assessments for community policing innovations;

1 including community policing innovations within
2 safe neighborhood improvement plans; providing
3 duties of the Department of Legal Affairs with
4 respect to community policing innovations;
5 including capital improvements related to
6 community policing innovations in provisions
7 which authorize certain local governments to
8 request state funding for certain capital
9 improvements; creating s. 943.1729, F.S.;
10 authorizing the Criminal Justice Standards and
11 Training Commission to incorporate community
12 policing concepts into law enforcement
13 officers' certification curriculum and
14 establish a community policing
15 continued-employment training component for
16 such officers; providing an effective date.

17

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

19

20 Section 1. Subsections (9) and (12) of section
21 163.340, Florida Statutes, are amended, and subsection (23) is
22 added to said section, to read:

23 163.340 Definitions.--The following terms, wherever
24 used or referred to in this part, have the following meanings:

25 (9) "Community redevelopment" or "redevelopment" means
26 undertakings, activities, or projects of a county,
27 municipality, or community redevelopment agency in a community
28 redevelopment area for the elimination and prevention of the
29 development or spread of slums and blight, or for the
30 reduction or prevention of crime, or for the provision of
31 affordable housing, whether for rent or for sale, to residents

1 of low or moderate income, including the elderly, and may
2 include slum clearance and redevelopment in a community
3 redevelopment area or rehabilitation or conservation in a
4 community redevelopment area, or any combination or part
5 thereof, in accordance with a community redevelopment plan and
6 may include the preparation of such a plan.

7 (12) "Related activities" means:

8 (a) Planning work for the preparation of a general
9 neighborhood redevelopment plan or for the preparation or
10 completion of a communitywide plan or program pursuant to s.
11 163.365.

12 (b) The functions related to the acquisition and
13 disposal of real property pursuant to s. 163.370(3).

14 (c) The development of affordable housing for
15 residents of the area.

16 (d) The development of community policing innovations.

17 (23) "Community policing innovation" means a policing
18 technique or strategy designed to reduce crime by reducing
19 opportunities for, and increasing the perceived risks of
20 engaging in, criminal activity through visible presence of
21 police in the community, including, but not limited to,
22 community mobilization, neighborhood block watch, citizen
23 patrol, citizen contact patrol, foot patrol, neighborhood
24 storefront police stations, field interrogation, or
25 intensified motorized patrol.

26 Section 2. Subsection (1) of section 163.345, Florida
27 Statutes, is amended to read:

28 163.345 Encouragement of private enterprise.--

29 (1) Any county or municipality, to the greatest extent
30 it determines to be feasible in carrying out the provisions of
31 this part, shall afford maximum opportunity, consistent with

1 the sound needs of the county or municipality as a whole, to
2 the rehabilitation or redevelopment of the community
3 redevelopment area by private enterprise. Any county or
4 municipality shall give consideration to this objective in
5 exercising its powers under this part, including the
6 formulation of a workable program; the approval of community
7 redevelopment plans, communitywide plans or programs for
8 community redevelopment, and general neighborhood
9 redevelopment plans (consistent with the general plan of the
10 county or municipality); the development and implementation of
11 community policing innovations;the exercise of its zoning
12 powers; the enforcement of other laws, codes, and regulations
13 relating to the use of land and the use and occupancy of
14 buildings and improvements; the development of affordable
15 housing; the disposition of any property acquired; and the
16 provision of necessary public improvements.

17 Section 3. Section 163.350, Florida Statutes, is
18 amended to read:

19 163.350 Workable program.--Any county or municipality
20 for the purposes of this part may formulate for the county or
21 municipality a workable program for utilizing appropriate
22 private and public resources to eliminate and prevent the
23 development or spread of slums and urban blight, to encourage
24 needed community rehabilitation, to provide for the
25 redevelopment of slum and blighted areas, to provide housing
26 affordable to residents of low or moderate income, including
27 the elderly, or to undertake such of the aforesaid activities
28 or other feasible county or municipal activities as may be
29 suitably employed to achieve the objectives of such workable
30 program. Such workable program may include provision for the
31 prevention of the spread of blight into areas of the county or

1 municipality which are free from blight through diligent
2 enforcement of housing, zoning, and occupancy controls and
3 standards; the rehabilitation or conservation of slum and
4 blighted areas or portions thereof by replanning, removing
5 congestion, providing parks, playgrounds, and other public
6 improvements, encouraging voluntary rehabilitation, and
7 compelling the repair and rehabilitation of deteriorated or
8 deteriorating structures; the development of affordable
9 housing; the implementation of community policing innovations;
10 and the clearance and redevelopment of slum and blighted areas
11 or portions thereof.

12 Section 4. Paragraph (d) of subsection (3) of section
13 163.356, Florida Statutes, is amended to read:

14 163.356 Creation of community redevelopment agency.--
15 (3)

16 (d) At any time after the creation of a community
17 redevelopment agency, the governing body of the county or
18 municipality may appropriate to the agency such amounts as the
19 governing body deems necessary for the administrative expenses
20 and overhead of the agency, including the development and
21 implementation of community policing innovations.

22 Section 5. Subsection (5) is added to section 163.358,
23 Florida Statutes, to read:

24 163.358 Exercise of powers in carrying out community
25 redevelopment and related activities.--The community
26 redevelopment powers assigned to a community redevelopment
27 agency created under s. 163.356 include all the powers
28 necessary or convenient to carry out and effectuate the
29 purposes and provisions of this part, except the following,
30 which continue to vest in the governing body of the county or
31 municipality:

1 (5) The power to approve the development of community
2 policing innovations.

3 Section 6. Subsections (3) through (9) of section
4 163.360, Florida Statutes, are renumbered as subsections (4)
5 through (10), respectively, a new subsection (3) is added to
6 said section, and subsection (4), paragraph (c) of subsection
7 (6), and paragraph (b) of subsection (7) are amended, to read:

8 163.360 Community redevelopment plans.--

9 (3) The community redevelopment plan may provide for
10 the development and implementation of community policing
11 innovations.

12 ~~(5)(4)~~ The community redevelopment agency shall submit
13 any community redevelopment plan it recommends for approval,
14 together with its written recommendations, to the governing
15 body and to each taxing authority that levies ad valorem taxes
16 on taxable real property contained within the geographic
17 boundaries of the redevelopment area. The governing body
18 shall then proceed with the hearing on the proposed community
19 redevelopment plan as prescribed by subsection ~~(6)(5)~~.

20 ~~(7)(6)~~ Following such hearing, the governing body may
21 approve the community redevelopment and the plan therefor if
22 it finds that:

23 (c) The community redevelopment plan gives due
24 consideration to the utilization of community policing
25 innovations, and to the provision of adequate park and
26 recreational areas and facilities that may be desirable for
27 neighborhood improvement, with special consideration for the
28 health, safety, and welfare of children residing in the
29 general vicinity of the site covered by the plans; and

30
31

1 (8)~~(7)~~ If the community redevelopment area consists of
2 an area of open land to be acquired by the county or the
3 municipality, such area may not be so acquired unless:
4 (b) In the event the area is to be developed in whole
5 or in part for nonresidential uses, the governing body
6 determines that:
7 1. Such nonresidential uses are necessary and
8 appropriate to facilitate the proper growth and development of
9 the community in accordance with sound planning standards and
10 local community objectives. ~~and~~
11 2. Acquisition may require the exercise of
12 governmental action, as provided in this part, because of:
13 a. Defective, or unusual conditions of, title or
14 diversity of ownership which prevents the free alienability of
15 such land;
16 b. Tax delinquency;
17 c. Improper subdivisions;
18 d. Outmoded street patterns;
19 e. Deterioration of site;
20 f. Economic disuse;
21 g. Unsuitable topography or faulty lot layouts;
22 h. Lack of correlation of the area with other areas of
23 a county or municipality by streets and modern traffic
24 requirements; or
25 i. Any combination of such factors or other conditions
26 which retard development of the area.
27 3. Conditions of blight in the area contribute to an
28 increase in and spread of disease and crime or constitute a
29 menace to public health, safety, morals, or welfare.
30 Section 7. Subsection (1) of section 163.361, Florida
31 Statutes, is amended to read:

1 163.361 Modification of community redevelopment
2 plans.--

3 (1) If at any time after the approval of a community
4 redevelopment plan by the governing body it becomes necessary
5 or desirable to amend or modify such plan, the governing body
6 may amend such plan upon the recommendation of the agency. The
7 agency recommendation to amend or modify a redevelopment plan
8 may include a change in the boundaries of the redevelopment
9 area to add land to or exclude land from the redevelopment
10 area, or may include the development and implementation of
11 community policing innovations.

12 Section 8. Paragraph (p) is added to subsection (1) of
13 section 163.370, Florida Statutes, and paragraph (a) of
14 subsection (2) of said section is amended, to read:

15 163.370 Powers; counties and municipalities; community
16 redevelopment agencies.--

17 (1) Every county and municipality shall have all the
18 powers necessary or convenient to carry out and effectuate the
19 purposes and provisions of this part, including the following
20 powers in addition to others herein granted:

21 (p) To develop and implement community policing
22 innovations.

23 (2) The following projects may not be paid for or
24 financed by increment revenues:

25 (a) Construction or expansion of administrative
26 buildings for public bodies or police and fire buildings,
27 unless each taxing authority agrees to such method of
28 financing for the construction or expansion, or unless the
29 construction or expansion is contemplated as part of a
30 community policing innovation.

31

1 Section 9. Paragraph (h) is added to subsection (6) of
2 section 163.387, Florida Statutes, to read:

3 163.387 Redevelopment trust fund.--

4 (6) Moneys in the redevelopment trust fund may be
5 expended from time to time for the following purposes, when
6 directly related to financing or refinancing of redevelopment
7 in a community redevelopment area pursuant to an approved
8 community redevelopment plan:

9 (h) The development of community policing innovations.

10 Section 10. Subsection (4) of section 163.502, Florida
11 Statutes, is amended to read:

12 163.502 Safe neighborhoods; legislative findings and
13 purpose.--

14 (4) It is the intent of the Legislature to assist
15 local governments in implementing plans that employ crime
16 prevention through community policing innovations,
17 environmental design, environmental security, and defensible
18 space techniques to establish safe neighborhoods. The
19 Legislature, therefore, declares that the development,
20 redevelopment, preservation, and revitalization of
21 neighborhoods in this state, and all the purposes of this
22 part, are public purposes for which public money may be
23 borrowed, expended, loaned, and granted.

24 Section 11. Subsection (1) of section 163.503, Florida
25 Statutes, is amended, and subsection (9) is added to said
26 section, to read:

27 163.503 Safe neighborhoods; definitions.--

28 (1) "Safe neighborhood improvement district,"
29 "district," or "neighborhood improvement district" means a
30 district located in an area in which more than 75 percent of
31 the land is used for residential purposes, or in an area in

1 which more than 75 percent of the land is used for commercial,
2 office, business, or industrial purposes, excluding the land
3 area used for public facilities, and where there is a plan to
4 reduce crime through the implementation of crime prevention
5 through environmental design, environmental security, or
6 defensible space techniques, or through community policing
7 innovations. Nothing in this section shall preclude the
8 inclusion of public land in a neighborhood improvement
9 district although the amount of land used for public
10 facilities is excluded from the land use acreage calculations.

11 (9) "Community policing innovation" means techniques
12 or strategies as defined by s. 163.340.

13 Section 12. Paragraph (d) of subsection (1) of section
14 163.506, Florida Statutes, is amended to read:

15 163.506 Local government neighborhood improvement
16 districts; creation; advisory council; dissolution.--

17 (1) After a local planning ordinance has been adopted
18 authorizing the creation of local government neighborhood
19 improvement districts, the local governing body of a
20 municipality or county may create local government
21 neighborhood improvement districts by the enactment of a
22 separate ordinance for each district, which ordinance:

23 (d) Authorizes the use of special assessments to
24 support planning and implementation of district improvements
25 pursuant to the provisions of s. 163.514(16), including
26 community policing innovations.

27 Section 13. Paragraph (c) of subsection (1) of section
28 163.511, Florida Statutes, 1996 Supplement, is amended, and
29 paragraph (j) is added to said subsection, to read:

30
31

1 163.511 Special neighborhood improvement districts;
2 creation; referendum; board of directors; duration;
3 extension.--

4 (1) After a local planning ordinance has been adopted
5 authorizing the creation of special neighborhood improvement
6 districts, the governing body of a municipality or county may
7 declare the need for and create special residential or
8 business neighborhood improvement districts by the enactment
9 of a separate ordinance for each district, which ordinance:

10 (c) Authorizes the use of special assessments to
11 support planning and implementation of district improvements
12 pursuant to the provisions of s. 163.514(16), including
13 community policing innovations.

14 (j) May authorize a special neighborhood improvement
15 district to develop and implement community policing
16 innovations in consultation with the local law enforcement
17 agency having jurisdiction within the district boundaries.

18 Section 14. Paragraph (c) of subsection (1) of section
19 163.512, Florida Statutes, is amended to read:

20 163.512 Community redevelopment neighborhood
21 improvement districts; creation; advisory council;
22 dissolution.--

23 (1) Upon the recommendation of the community
24 redevelopment agency and after a local planning ordinance has
25 been adopted authorizing the creation of community
26 redevelopment neighborhood improvement districts, the local
27 governing body of a municipality or county may create
28 community redevelopment neighborhood improvement districts by
29 the enactment of a separate ordinance for each district, which
30 ordinance:
31

1 (c) Authorizes the use of the community redevelopment
2 trust fund created pursuant to s. 163.387 for the purposes of
3 implementing the safe neighborhood improvement plan and
4 furthering crime prevention through community policing
5 innovations, environmental design, environmental security, and
6 defensible space techniques, if expenditures from the
7 community redevelopment trust fund are consistent with the
8 community redevelopment plan created pursuant to s. 163.360.

9 Section 15. Subsections (3), (4), and (5) of section
10 163.513, Florida Statutes, are amended to read:

11 163.513 Crime prevention through community policing
12 innovations, environmental design, environmental security, and
13 defensible space functions of neighborhood improvement
14 districts.--All boards of local governments, property owners'
15 associations, special neighborhood improvement districts, and
16 community redevelopment neighborhood improvement districts
17 created pursuant to this part shall:

18 (3) Determine, from surveys and other data collection
19 techniques, areas within the district where modification or
20 closing of, or restriction of access to, certain streets in a
21 manner consistent with crime prevention through community
22 policing innovations, environmental design, environmental
23 security, and defensible space principles would assist crime
24 prevention and enhance neighborhood security for property
25 owners and residents.

26 (4) Formulate and maintain on a current basis for each
27 district short-range and long-range projects and plans which
28 the crime-to-environment analysis, including surveys and
29 citizen participation, has determined are applicable and
30 utilize crime prevention through community policing
31 innovations, environmental design, environmental security, and

1 defensible space strategies and tactics which will improve the
2 attractiveness and security of the district by reducing
3 criminal activity, will stabilize neighborhoods and enhance
4 property values within the district, will promote proper use
5 and informal control of residential streets within the
6 district, will improve public facilities and amenities and
7 provide for territorial control of streets and areas within
8 the district by legitimate users, and will increase the
9 probability that persons who commit crimes in the district
10 will be apprehended.

11 (5) Prepare and initiate actions deemed most suitable
12 for implementing safe neighborhood improvement plans,
13 including modifications to existing street patterns and
14 removal, razing, renovation, reconstruction, remodeling,
15 relocation, and improvement of existing structures and
16 facilities, and addition of new structures and facilities, and
17 coordination with other agencies providing relevant
18 informational, educational, and crime prevention services.
19 The preparation of actions for implementation shall utilize
20 crime prevention through community policing innovations,
21 environmental design, environmental security, and defensible
22 space strategies and tactics.

23 Section 16. Subsections (7) and (12) of section
24 163.514, Florida Statutes, are amended to read:

25 163.514 Powers of neighborhood improvement
26 districts.--Unless prohibited by ordinance, the board of any
27 district shall be empowered to:

28 (7) Contract for services of planning consultants,
29 experts on crime prevention through community policing
30 innovations, environmental design, environmental security, or
31

1 defensible space, or other experts in areas pertaining to the
2 operations of the board of directors or the district.

3 (12) Undertake innovative approaches to securing
4 neighborhoods from crime, such as crime prevention through
5 community policing innovations, environmental design,
6 environmental security, and defensible space.

7 Section 17. Paragraph (f) of subsection (1) of section
8 163.516, Florida Statutes, is amended to read:

9 163.516 Safe neighborhood improvement plans.--

10 (1) A safe neighborhood improvement plan is mandated
11 for all neighborhood improvement districts. The plan shall
12 contain at least the following elements:

13 (f) Assessment of crime prevention through community
14 policing innovations, environmental design, environmental
15 security, and defensible space strategies and tactics that
16 will be applied to the crime-to-environment relationship
17 problems.

18 Section 18. Subsections (8) and (9) and paragraphs (a)
19 and (b) of subsection (11) of section 163.519, Florida
20 Statutes, are amended to read:

21 163.519 Duties of Department of Legal Affairs.--The
22 Department of Legal Affairs shall:

23 (8) Act as the repository of crime prevention through
24 community policing innovations; environmental design
25 strategies, principles, and tactics; environmental security
26 plans and procedures; defensible space techniques; and safe
27 neighborhood improvement plans.

28 (9) Utilize staff to provide crime prevention through
29 community policing innovations, environmental design,
30 environmental security, and defensible space training.

31

1 (11) Review and approve or disapprove safe
2 neighborhood improvement plans prior to the adoption by the
3 local governing body of any safe neighborhood improvement plan
4 created pursuant to s. 163.516. Plans shall be submitted to
5 the department for review and approval or disapproval. All
6 such reviews shall:

7 (a) Ensure that appropriate plan elements are based on
8 crime prevention through community policing innovations,
9 environmental design, environmental security, or defensible
10 space.

11 (b) Ensure that appropriate plan elements are
12 consistent with crime prevention through community policing
13 innovations, environmental design, environmental security, and
14 defensible space functions of neighborhood improvement
15 districts as listed in s. 163.513.

16 Section 19. Section 163.521, Florida Statutes, is
17 amended to read:

18 163.521 Neighborhood improvement district inside
19 enterprise zone; funding.--The local governing body of any
20 municipality or county in which the boundaries of an
21 enterprise zone include a neighborhood improvement district in
22 whole or in part, prior to October 1 of each year, may request
23 the Department of Legal Affairs to submit within its budget
24 request to the Legislature provisions to fund capital
25 improvements. A request may be made for 100 percent of the
26 capital improvement costs for 25 percent of the area of the
27 enterprise zone which overlaps the district. The local
28 governing body may also request a 100-percent matching grant
29 for capital improvement costs for the remaining 75 percent of
30 the area of the enterprise zone which overlaps the district.
31 Local governments must demonstrate the capacity to implement

1 the project within 2 years after the date of the
2 appropriation. Funds appropriated under this provision may
3 not be expended until after completion and approval of the
4 safe neighborhood improvement plan pursuant to ss. 163.516 and
5 163.519(11). Capital improvements contained within the
6 request submitted by the local governing body must be
7 specifically related to crime prevention through community
8 policing innovations, environmental design, environmental
9 security, and defensible space and must be reviewed by the
10 department for compliance with the principles of crime
11 prevention through community policing innovations,
12 environmental design, environmental security, and defensible
13 space. The department shall rank order all requests received
14 for capital improvements funding based on the necessity of the
15 improvements to the overall implementation of the safe
16 neighborhood plan; the degree to which the improvements help
17 the plan achieve crime prevention through community policing
18 innovations, environmental design, environmental security, and
19 defensible space objectives; the effect of the improvements on
20 residents of low or moderate income; and the fiscal inability
21 of local government to perform the improvements without state
22 assistance.

23 Section 20. Section 943.1729, Florida Statutes, is
24 created to read:

25 943.1729 Skills training relating to community
26 policing.--

27 (1) DEFINITION.--As used in this section, "community
28 policing" means a policing technique or strategy as defined in
29 s. 163.340.

30 (2) BASIC SKILLS COURSE.--The Criminal Justice
31 Standards and Training Commission may incorporate community

1 policing concepts into the course curriculum required in order
2 for law enforcement officers to obtain initial certification.

3 (3) CONTINUING TRAINING.--The commission may establish
4 a continued-employment training component related to community
5 policing techniques before January 1, 1998. Completion of the
6 training component shall count toward the 40 hours of required
7 instruction for continued employment or appointment as a law
8 enforcement officer.

9 Section 21. This act shall take effect upon becoming a
10 law.

11 *****

12 HOUSE SUMMARY

13
14 Includes the reduction or prevention of crime within
15 community redevelopment activities under the Community
16 Redevelopment Act of 1969. Defines "community policing
17 innovation" and includes the development and
18 implementation of such innovations as part of community
19 redevelopment plans. Authorizes counties and
20 municipalities to appropriate funds for community
21 policing innovations, and authorizes use of moneys in
22 redevelopment trust funds for community policing
23 innovations. Provides an additional requirement for
24 acquisition of land for nonresidential uses under the act.
25 Includes crime prevention through development and
26 implementation of community policing innovations in
27 powers of neighborhood improvement districts under the
28 Safe Neighborhoods Act. Authorizes use of special
29 assessments for community policing innovations.

30 Authorizes the Criminal Justice Standards and Training
31 Commission to include community policing concepts in the
curriculum for certification of law enforcement officers
and to establish a community policing
continued-employment training component for such
officers.