

By the Committee on Law Enforcement & Crime Prevention and Representatives Crist, Heyman, Goode, Gottlieb, Futch, Kilmer and J. Miller

1 A bill to be entitled
 2 An act relating to law enforcement; amending s.
 3 23.1225, F.S.; describing an additional
 4 authorized joint city-county law enforcement
 5 activity by voluntary cooperation written
 6 agreement; amending s. 810.011, F.S.; providing
 7 a definition; amending s. 901.15, F.S.;
 8 specifying lawful arrest without a warrant for
 9 trespass in secure areas of airports; providing
 10 for immunity from civil liability for arresting
 11 law enforcement officers under certain
 12 circumstances; amending s. 934.03, F.S.;
 13 revising limited authorization for certain
 14 personnel to intercept and record specified
 15 incoming wire communications; providing an
 16 effective date.

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

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 20 Section 1. Paragraph (a) of subsection (1) of section
 21 23.1225, Florida Statutes, is amended to read:

22 23.1225 Mutual aid agreements.--

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

25 (a) A voluntary cooperation written agreement between
 26 two or more law enforcement agencies, or between one or more
 27 law enforcement agencies and either a school board that
 28 employs school safety officers or a state university that
 29 employs or appoints university police officers in accordance
 30 with s. 240.268, which agreement permits voluntary cooperation
 31 and assistance of a routine law enforcement nature across

1 jurisdictional lines. The agreement must specify the nature
2 of the law enforcement assistance to be rendered, the agency
3 or entity that shall bear any liability arising from acts
4 undertaken under the agreement, the procedures for requesting
5 and for authorizing assistance, the agency or entity that has
6 command and supervisory responsibility, a time limit for the
7 agreement, the amount of any compensation or reimbursement to
8 the assisting agency or entity, and any other terms and
9 conditions necessary to give it effect. Examples of law
10 enforcement activities that may be addressed in a voluntary
11 cooperation written agreement include, but are not limited to,
12 establishing a joint city-county task force on narcotics
13 smuggling, ~~or~~ authorizing school safety officers to enforce
14 laws in an area within 1,000 feet of a school or school board
15 property, or establishing a joint city-county traffic
16 enforcement task force.

17 Section 2. Subsection (12) is added to section
18 810.011, Florida Statutes, to read:

19 810.011 Definitions.--As used in this chapter:

20 (12) "Authorized person" means any owner or relative
21 of an owner, any agent, or any law enforcement officer whose
22 department has received written authorization to communicate
23 an order to leave the property, in the case of a threat to the
24 public's safety or welfare, from the owner or his or her
25 agent.

26 Section 3. Subsection (15) is added to section 901.15,
27 Florida Statutes, to read:

28 901.15 When arrest by officer without warrant is
29 lawful.--A law enforcement officer may arrest a person without
30 a warrant when:

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1 (15) There is probable cause to believe that the
2 person has committed trespass in a secure area of an airport
3 when signs are posted in conspicuous areas of the airport or
4 oral directions are given by airport security personnel
5 advising passengers and other persons in the airport of the
6 existence and secure nature of such areas, that unauthorized
7 entry into such areas constitutes a trespass, and of the
8 methods for gaining authorized access to such areas. An
9 arrest under this subsection may be made on or off airport
10 premises. A law enforcement officer who acts in good faith
11 and exercises due care in making an arrest under this
12 subsection is immune from civil liability that otherwise might
13 result by reason of the law enforcement officer's action.

14 Section 4. Paragraph (g) of subsection (2) of section
15 934.03, Florida Statutes, is amended to read:

16 934.03 Interception and disclosure of wire, oral, or
17 electronic communications prohibited.--

18 (2)

19 (g) It is lawful under ss. 934.03-934.09 for an
20 employee of:

21 1. An ambulance service licensed pursuant to s.
22 401.25, a fire station employing firefighters as defined by s.
23 633.30, a public utility as defined by ss. 365.01 and 366.02,
24 a law enforcement agency as defined by s. 934.02(10), or any
25 other entity with published emergency telephone numbers;

26 2. An agency operating an emergency telephone number
27 "911" system established pursuant to s. 365.171; or

28 3. The central abuse hotline operated pursuant to s.
29 39.201,

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1 to intercept and record incoming wire communications; however,
2 such employee may intercept and record incoming wire
3 communications on designated "911" telephone numbers and
4 published nonemergency ~~emergency~~ telephone numbers staffed by
5 trained dispatchers at public safety answering points only.
6 It is also lawful for such employee to intercept and record
7 outgoing wire communications to the numbers from which such
8 incoming wire communications were placed when necessary to
9 obtain information required to provide the emergency services
10 being requested.

11 Section 5. This act shall take effect October 1, 2000.

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