

By Senator Silver

38-687A-00

See HB 663

1 A bill to be entitled
2 An act relating to safe neighborhood
3 improvement districts; amending s. 163.340,
4 F.S.; including university police patrols
5 within a definition; amending s. 163.503, F.S.;
6 revising certain definitions; amending s.
7 163.5035, F.S.; providing for exercise by
8 university police patrols of law enforcement
9 powers within safe neighborhood improvement
10 districts; amending s. 163.506, F.S.; providing
11 for qualifications of certain safe neighborhood
12 improvement district boards of directors;
13 specifying that university police patrol
14 officers are state law enforcement officers;
15 providing requirements; amending s. 163.5151,
16 F.S.; authorizing certain interlocal agreements
17 for certain purposes; creating s. 163.5235,
18 F.S.; authorizing safe neighborhood improvement
19 districts to enter into certain interlocal
20 agreements for certain purposes; providing an
21 effective date.

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

25 Section 1. Subsection (23) of section 163.340, Florida
26 Statutes, is amended to read:

27 163.340 Definitions.--The following terms, wherever
28 used or referred to in this part, have the following meanings:

29 (23) "Community policing innovation" means a policing
30 technique or strategy designed to reduce crime by reducing
31 opportunities for, and increasing the perceived risks of

1 engaging in, criminal activity through visible presence of
2 police in the community, including, but not limited to,
3 community mobilization, neighborhood block watch, citizen
4 patrol, university police patrol as defined in s. 163.503,
5 citizen contact patrol, foot patrol, neighborhood storefront
6 police stations, field interrogation, or intensified motorized
7 patrol.

8 Section 2. Subsection (1) of section 163.503, Florida
9 Statutes, is amended, and subsection (10) is added to that
10 section, to read:

11 163.503 Safe neighborhoods; definitions.--

12 (1) "Safe neighborhood improvement district,"
13 "district," or "neighborhood improvement district" means a
14 district located in an area in which more than 75 percent of
15 the land is used for residential purposes, or in an area in
16 which more than 75 percent of the land is used for commercial,
17 office, business, postsecondary educational, or industrial
18 purposes, excluding the land area used for public facilities,
19 and where there is a plan to reduce crime through the
20 implementation of crime prevention through environmental
21 design, environmental security, or defensible space
22 techniques, or through community policing innovations or use
23 of a university police patrol. Nothing in this section shall
24 preclude the inclusion of public land in a neighborhood
25 improvement district although the amount of land used for
26 public facilities is excluded from the land use acreage
27 calculations.

28 (10) "University police patrol" means a police patrol
29 having law enforcement powers which services a safe
30 neighborhood improvement district coterminous with the
31 boundaries of the campus of a nonpublic university or college

1 with enrollment in excess of 10,000 full-time students
2 attending classes within the boundaries of said district and
3 which is funded by such university or college or such other
4 funding sources as authorized by law.

5 Section 3. Section 163.5035, Florida Statutes, is
6 amended to read:

7 163.5035 Safe neighborhood improvement districts;
8 compliance with special district provisions.--Any special
9 district created pursuant to this part shall comply with all
10 applicable provisions contained in chapter 189. In cases
11 where a provision contained in this part conflicts with a
12 provision in chapter 189, the provision in chapter 189 shall
13 prevail. Notwithstanding any provision of this chapter or
14 chapter 189, a university police patrol created by a safe
15 neighborhood improvement district authorized under part IV may
16 exercise law enforcement powers within such district.

17 Section 4. Subsection (3) of section 163.506, Florida
18 Statutes, is amended, and subsection (5) is added to that
19 section, to read:

20 163.506 Local government neighborhood improvement
21 districts; creation; advisory council; dissolution.--

22 (3) As an alternative to designating the local
23 governing body as the board of directors, a majority of the
24 local governing body of a city or county may appoint a board
25 of three to seven directors for the district who shall be
26 residents of the proposed area and who are subject to ad
27 valorem taxation in the residential neighborhood improvement
28 district or who are property owners in a commercial
29 neighborhood improvement district. Notwithstanding this
30 section, the board of directors of a neighborhood improvement
31 district which has a university police patrol shall have

1 qualifications as set forth in the ordinance creating the
2 district or any amendments to such ordinance.The directors
3 shall be appointed for staggered terms of 3 years. The
4 initial appointments shall be as follows: one director for a
5 1-year term; one director for a 2-year term; and one director
6 for a 3-year term. If more than three directors are to be
7 appointed, the additional members shall initially be appointed
8 for 3-year terms. Vacancies shall be filled for the unexpired
9 portion of a term in the same manner as the initial
10 appointments were made. Each director shall hold office until
11 his or her successor is appointed and qualified unless the
12 director ceases to be qualified or is removed from office.
13 Upon appointment and qualification and in January of each
14 year, the directors shall organize by electing from their
15 number a chair and a secretary.

16 (5) All individuals who are police officers comprising
17 a university police patrol are law enforcement officers of
18 this state with the right to make arrests and bear arms and
19 shall meet the standards established by the Criminal Justice
20 Standards and Training Commission and be certified as law
21 enforcement officers by such commission. Such individuals who
22 are police officers shall be considered employees of the
23 district.

24 Section 5. Subsection (5) is added to section
25 163.5151, Florida Statutes, to read:

26 163.5151 Fiscal management; budget preparation.--

27 (5) Notwithstanding this section, the budget and
28 fiscal matters pertaining to a safe neighborhood district
29 having a university police patrol may be prescribed by
30 interlocal agreement between the district and the local
31 governing body.

1 Section 6. Section 163.5235, Florida Statutes, is
2 created to read:
3 163.5235 Interlocal agreements.--A safe neighborhood
4 improvement district with a university police patrol may enter
5 into an interlocal agreement pursuant to s. 163.01 with the
6 unit of local government which created the district and any
7 other unit of local government pertaining to the operation of
8 the district, which agreement may include provisions regarding
9 mutual aid, cooperation, sharing of resources, budgeting, and
10 financial assistance.

11 Section 7. This act shall take effect upon becoming a
12 law.

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15 LEGISLATIVE SUMMARY

16 Defines university police patrol with respect to safe
17 neighborhood improvement districts, specifies that such
18 university police patrol officers are state law
19 enforcement officers, provides for exercise of law
20 enforcement powers by university police patrols within
21 safe neighborhood improvement districts, and authorizes
22 safe neighborhood improvement districts with a university
23 police patrol to enter into interlocal agreements for
24 specified purposes. (See bill for details.)
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