

By Senator Bronson

18-1191-00

See HB

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. 901.15, F.S.; specifying  
7           lawful arrest without a warrant for trespass in  
8           secure areas of airports; providing for  
9           immunity from civil liability for arresting law  
10          enforcement officers under certain  
11          circumstances; amending s. 934.03, F.S.;  
12          revising limited authorization for certain  
13          personnel to intercept and record specified  
14          incoming wire communications; providing an  
15          effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

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

21           23.1225 Mutual aid agreements.--

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

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

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

16 Section 2. Subsection (15) is added to section 901.15,  
17 Florida Statutes, to read:

18 901.15 When arrest by officer without warrant is  
19 lawful.--A law enforcement officer may arrest a person without  
20 a warrant when:

21 (15) There is probable cause to believe that the  
22 person has committed trespass in a secure area of an airport  
23 when signs are posted in conspicuous areas of the airport or  
24 oral directions are given by airport security personnel  
25 advising passengers and other persons in the airport of the  
26 existence and secure nature of such areas, that unauthorized  
27 entry into such areas constitutes a trespass, and of the  
28 methods for gaining authorized access to such areas. An  
29 arrest under this subsection may be made on or off airport  
30 premises. A law enforcement officer who acts in good faith  
31 and exercises due care in making an arrest under this

1 subsection is immune from civil liability that otherwise might  
2 result by reason of the law enforcement officer's action.

3 Section 3. Paragraph (g) of subsection (2) of section  
4 934.03, Florida Statutes, is amended to read:

5 934.03 Interception and disclosure of wire, oral, or  
6 electronic communications prohibited.--

7 (2)

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

10 1. An ambulance service licensed pursuant to s.  
11 401.25, a fire station employing firefighters as defined by s.  
12 633.30, a public utility as defined by ss. 365.01 and 366.02,  
13 a law enforcement agency as defined by s. 934.02(10), or any  
14 other entity with published emergency telephone numbers;

15 2. An agency operating an emergency telephone number  
16 "911" system established pursuant to s. 365.171; or

17 3. The central abuse hotline operated pursuant to s.  
18 39.201,

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20 to intercept and record incoming wire communications; however,  
21 such employee may intercept and record incoming wire  
22 communications on designated "911" telephone numbers and  
23 published nonemergency ~~emergency~~ telephone numbers staffed by  
24 trained dispatchers at public safety answering points only.

25 It is also lawful for such employee to intercept and record  
26 outgoing wire communications to the numbers from which such  
27 incoming wire communications were placed when necessary to  
28 obtain information required to provide the emergency services  
29 being requested.

30 Section 4. This act shall take effect October 1, 2000.

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HOUSE SUMMARY

Includes joint city-county traffic enforcement task forces by voluntary cooperation written agreement in authorized law enforcement activities. Provides for lawful arrest without a warrant for trespass in secure areas of airports. Limits authorized interception and recording by authorized personnel of incoming wire communications to "911" telephone numbers and published nonemergency telephone numbers staffed by trained dispatchers at public safety answering points only.