

By Senator Mitchell

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A bill to be entitled
An act relating to the State Law Enforcement
Radio Operating Trust Fund; amending s.
282.1095, F.S.; creating the State Law
Enforcement Operating Trust Fund; providing for
its purposes; transferring a current trust fund
balance; providing for review and termination
or re-creation of the trust fund; providing an
effective date.

WHEREAS, the Legislature has adopted an alternative
approach to implementing the State Agency Law Enforcement
Radio System project, and

WHEREAS, the Legislature has formed public policy
concerning the creation of adequate parameters for its use,
NOW, THEREFORE,

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

Section 1. Subsection (1) and paragraphs (f) and (g)
of subsection (2) of section 282.1095, Florida Statutes, are
amended to read:

282.1095 State agency law enforcement radio system.--

(1) The State Technology Office of the Department of
Management Services may acquire and implement a statewide
radio communications system to serve law enforcement units of
state agencies, and to serve local law enforcement agencies
through a mutual aid channel. The Joint Task Force on State
Agency Law Enforcement Communications is established in the
State Technology Office of the Department of Management
Services to advise the office of member-agency needs for the

1 planning, designing, and establishment of the joint system.
2 The State Agency Law Enforcement Radio System Trust Fund is
3 established in the State Technology Office of the Department
4 of Management Services. The trust fund shall be funded from
5 surcharges collected under ss. 320.0802 and 328.72. The State
6 Law Enforcement Radio Operating Trust Fund is created within
7 the State Technology Office for the purpose of paying
8 operating costs associated with the statewide radio
9 communications system. In fiscal year 2001-2002, the
10 unobligated cash balance in the State Agency Law Enforcement
11 Radio System Trust Fund identified by the State Technology
12 Office shall be transferred to the State Law Enforcement Radio
13 Operating Trust Fund.

14 (2)

15 (f) The State Technology Office of the Department of
16 Management Services is hereby authorized to rent or lease
17 space on any tower under its control. The office may also
18 rent, lease, or sublease ground space as necessary to locate
19 equipment to support antennae on the towers. The costs for
20 use of such space shall be established by the office for each
21 site, when it is determined to be practicable and feasible to
22 make space available. The office may refuse to lease space on
23 any tower at any site. All moneys collected by the office for
24 such rents, leases, and subleases shall be deposited directly
25 into the State ~~Agency~~ Law Enforcement Radio Operating System
26 Trust Fund and may be used by the office to construct,
27 maintain, or support the system.

28 (g) The State Technology Office of the Department of
29 Management Services is hereby authorized to rent, lease, or
30 sublease ground space on lands acquired by the office for the
31 construction of privately owned or publicly owned towers. The

1 office may, as a part of such rental, lease, or sublease
2 agreement, require space on said tower or towers for antennae
3 as may be necessary for the construction and operation of the
4 state agency law enforcement radio system or any other state
5 need. The positions necessary for the office to accomplish its
6 duties under this paragraph and paragraph (f) shall be
7 established in the General Appropriations Act and shall be
8 funded by the State ~~Agency~~ Law Enforcement Radio Operating
9 System Trust Fund.

10 Section 2. In accordance with Section 19(f)(2),
11 Article III of the State Constitution, the State Law
12 Enforcement Radio Operating Trust Fund shall be terminated on
13 July 1, 2005, unless terminated sooner. Before its scheduled
14 termination, the trust fund shall be reviewed as provided in
15 section 215.3026(1) and (2), Florida Statutes.

16 Section 3. This act shall take effect July 1, 2001,
17 but it shall not take effect unless it is enacted by a
18 three-fifths vote of the membership of each house of the
19 legislature.

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22 SENATE SUMMARY

23 Creates the State Law Enforcement Radio Operating Trust
24 Fund to be administered by the State Technology Office in
25 the Department of Management Services. Provides for
26 review and termination or re-creation of the trust fund.