

By the Committee on Appropriations and Senator Mitchell

309-1959-01

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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), paragraphs (f) and (g) of  
subsection (2), and subsection (3) 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 (3) Upon appropriation, moneys in the Law Enforcement  
11 Radio Operating System Trust Fund may be used by the office to  
12 acquire by competitive procurement the equipment; software;  
13 and engineering, administrative, and maintenance services it  
14 needs to construct, operate, and maintain the statewide radio  
15 system. Moneys in the trust fund collected as a result of the  
16 surcharges set forth in ss. 320.0802 and 328.72 shall be used  
17 to help fund the costs of the system. Upon completion of the  
18 system, moneys in the trust fund may also be used by the  
19 office to provide for payment of the recurring maintenance  
20 costs of the system. Moneys in the trust fund may be  
21 appropriated to maintain and enhance, over and above existing  
22 agency budgets, existing radio equipment systems of the state  
23 agencies represented by the task force members, in an amount  
24 not to exceed 10 percent per year per agency, of the existing  
25 radio equipment inventory until the existing radio equipment  
26 can be replaced pursuant to implementation of the statewide  
27 radio communications system.

28 Section 2. In accordance with Section 19(f)(2),  
29 Article III of the State Constitution, the State Law  
30 Enforcement Radio Operating Trust Fund shall be terminated on  
31 July 1, 2005, unless terminated sooner. Before its scheduled

1 termination, the trust fund shall be reviewed as provided in  
2 section 215.3026(1) and (2), Florida Statutes.

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

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8                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
9                   COMMITTEE SUBSTITUTE FOR  
10                   SB 1968

10

11 Renames existing trust fund as the Law Enforcement Radio  
12 Operating Trust Fund in subsection (3) of section 282.1095,  
13 Florida Statutes.

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