

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1612

SPONSOR: Committee on Home Defense, Public Security, and Ports and Senator Dockery

SUBJECT: Chief of Domestic Security Initiatives

DATE: April 21, 2003

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Dodson</u>	<u>Skelton</u>	<u>HP</u>	<u>Fav/CS</u>
2.	_____	_____	<u>CP</u>	_____
3.	_____	_____	<u>AGG</u>	_____
4.	_____	_____	<u>AP</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

CS/SB 1612 requires the Chief of Domestic Security Initiatives to conduct a security assessment of state agencies, state universities, and community colleges by December 1, 2003. The CS requires an annual report to the Legislature of prioritized suggestions for security enhancements. The Chief of Domestic Security Initiatives is required to communicate to local governments the importance of conducting security assessments and to advise those governments about options for obtaining assessments.

This bill amends s. 943.0311, F.S.

II. Present Situation:

After the terrorist attacks on the United States in September, 2001, the Governor directed the Department of Law Enforcement and the Division of Emergency Management to assess Florida's capability to prevent, mitigate and respond to a terrorist attack. Under the State plan, the Department of Law Enforcement is the lead agency for crisis management and the Department of Emergency Management is the lead agency for consequence management. During the Special Session in November 2001, the Legislature created a Chief of Domestic Security Initiatives within the Department of Law Enforcement to coordinate the efforts in the ongoing assessment of Florida's ability to detect, prevent, and respond to acts of terrorism.¹

Section 943.0311(2), F.S., requires the Chief of Domestic Security Initiatives to conduct security assessments of buildings owned or leased by state agencies or local governments. Based on these assessments, the chief is required to report recommendations for security enhancements and best practices for security to the Governor and the Legislature. The chief is authorized to

¹ Chapter 2001-365, Laws of Florida.

conduct a security assessment of a building owned by private entity upon the request of that private entity.

III. Effect of Proposed Changes:

The CS modifies the powers and duties of the Chief of Domestic Security Initiatives within the Department of Law Enforcement. It requires the chief to conduct, or cause to be conducted, security assessments of buildings and facilities that are owned or leased by state agencies, state universities, and community colleges. Such agency, university, or community college must cooperate with the department and provide the assistance of employees to provide information to the chief in a designated format.

In the event that an agency, university, or college substantially fails to cooperate with the chief in making a security assessment of a building or facility, the chief must report such to the Governor and Legislature.

The first assessment of every agency must be provided to the chief no later than December 1, 2003, and the chief may request followup assessments to ensure that the assessments remain current.

Section 943.0311(3), F.S., requires the Chief of Domestic Security Initiatives to make an annual report of prioritized suggestions for specific security enhancements to the Governor and the Legislature. The chief must also report recommended best practices for the safety and security of state agencies, universities, colleges, and local governments, and these practices may be revised by the chief as necessary.

The chief must encourage local governments to conduct security assessments of their buildings and advise those governments of options to consider in obtaining assessments. Local governments must bear the costs for assessing buildings and facilities owned or leased by local governments.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Committee Substitute provides for security assessments of state agencies, universities and community colleges to be conducted by the personnel and with the resources of such agencies, universities and community colleges.

The Department of Management Services (DMS) reports that state facilities inventory includes 3,757 buildings and 54,808,706 square feet of building space, not including the state university system.²

Under the provisions of this bill, if a local government elects to perform security assessments of buildings, the costs will be the responsibility of the local government. The Department of Law Enforcement will provide an assessment guide and template so that the work may be done by a local government employee as part of a normal job assignment, or may be used by a private entity which contracts with local government.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

² House Bill Analysis for HB 1829, April 10, 2003.