

By the Committee on Home Defense, Public Security, and Ports;
and Senator Dockery

318-2234-03

1 A bill to be entitled
2 An act relating to the state agency law
3 enforcement radio system and interoperability
4 network; amending s. 282.1095, F.S.;
5 authorizing a member of the Joint Task Force on
6 State Agency Law Enforcement Communications to
7 appoint an alternate; providing for the
8 Department of Law Enforcement and the
9 Department of Community Affairs, Division of
10 Emergency Management, to work in conjunction
11 with the State Technology Office to establish
12 certain policies, procedures, and standards;
13 authorizing the office to make certain mutual
14 aid channels in the state radio communications
15 system available to other agencies; providing
16 for the creation of an interoperability
17 network; providing powers and duties of the
18 office; providing an effective date.

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

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22 Section 1. Section 282.1095, Florida Statutes, is
23 amended to read:

24 282.1095 State agency law enforcement radio system and
25 interoperability network.--

26 (1) The State Technology Office may acquire and
27 implement a statewide radio communications system to serve law
28 enforcement units of state agencies, and to serve local law
29 enforcement agencies through a mutual aid channels ~~channel~~.

30 The Joint Task Force on State Agency Law Enforcement
31 Communications is established in the State Technology Office

1 to advise the office of member-agency needs for the planning,
2 designing, and establishment of the joint system. The State
3 Agency Law Enforcement Radio System Trust Fund is established
4 in the State Technology Office. The trust fund shall be funded
5 from surcharges collected under ss. 320.0802 and 328.72.

6 (2)(a) The Joint Task Force on State Agency Law
7 Enforcement Communications shall consist of eight members, as
8 follows:

9 1. A representative of the Division of Alcoholic
10 Beverages and Tobacco of the Department of Business and
11 Professional Regulation who shall be appointed by the
12 secretary of the department.

13 2. A representative of the Division of Florida Highway
14 Patrol of the Department of Highway Safety and Motor Vehicles
15 who shall be appointed by the executive director of the
16 department.

17 3. A representative of the Department of Law
18 Enforcement who shall be appointed by the executive director
19 of the department.

20 4. A representative of the Fish and Wildlife
21 Conservation Commission who shall be appointed by the
22 executive director of the commission.

23 5. A representative of the Division of Law Enforcement
24 of the Department of Environmental Protection who shall be
25 appointed by the secretary of the department.

26 6. A representative of the Department of Corrections
27 who shall be appointed by the secretary of the department.

28 7. A representative of the Division of State Fire
29 Marshal of the Department of Insurance who shall be appointed
30 by the State Fire Marshal.

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1 8. A representative of the Department of
2 Transportation who shall be appointed by the secretary of the
3 department.

4 (b) Each appointed member of the joint task force
5 shall serve at the pleasure of the appointing official. Any
6 vacancy on the joint task force shall be filled in the same
7 manner as the original appointment. Any joint task force
8 member may, upon notification to the chair prior to the
9 beginning of any scheduled meeting, appoint an alternative to
10 represent the member on the task force and vote on task force
11 business in his or her absence.

12 (c) The joint task force shall elect a chair from
13 among its members to serve a 1-year term. A vacancy in the
14 chair of the joint task force must be filled for the remainder
15 of the unexpired term by an election of the joint task force
16 members.

17 (d) The joint task force shall meet as necessary, but
18 at least quarterly, at the call of the chair and at the time
19 and place designated by him or her.

20 (e) The per diem and travel expenses incurred by a
21 member of the joint task force in attending its meetings and
22 in attending to its affairs shall be paid pursuant to s.
23 112.061, from funds budgeted to the state agency that the
24 member represents.

25 (f) The State Technology Office is hereby authorized
26 to rent or lease space on any tower under its control. The
27 office may also rent, lease, or sublease ground space as
28 necessary to locate equipment to support antennae on the
29 towers. The costs for use of such space shall be established
30 by the office for each site, when it is determined to be
31 practicable and feasible to make space available. The office

1 may refuse to lease space on any tower at any site. All
2 moneys collected by the office for such rents, leases, and
3 subleases shall be deposited directly into the Law Enforcement
4 Radio Operating Trust Fund and may be used by the office to
5 construct, maintain, or support the system.

6 (g) The State Technology Office is hereby authorized
7 to rent, lease, or sublease ground space on lands acquired by
8 the office for the construction of privately owned or publicly
9 owned towers. The office may, as a part of such rental, lease,
10 or sublease agreement, require space on said tower or towers
11 for antennae as may be necessary for the construction and
12 operation of the state agency law enforcement radio system or
13 any other state need. The positions necessary for the office
14 to accomplish its duties under this paragraph and paragraph
15 (f) shall be established in the General Appropriations Act and
16 shall be funded by the Law Enforcement Radio Operating Trust
17 Fund or other revenue sources.

18 (h) The State Technology Office may make the mutual
19 aid channels in the statewide radio communications system
20 available to federal agencies, state agencies, and agencies of
21 the political subdivisions of the state for the purpose of
22 public safety and domestic security. The office shall exercise
23 its powers and duties, as specified in this chapter, to plan,
24 manage, and administer the mutual aid channels. The office
25 shall, in implementing such powers and duties, act in
26 consultation and conjunction with the Department of Law
27 Enforcement and the Division of Emergency Management of the
28 Department of Community Affairs, and shall manage and
29 administer the mutual aid channels in a manner that reasonably
30 addresses the needs and concerns of the involved law

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1 enforcement agencies and emergency response agencies and
2 entities.

3 (3) Upon appropriation, moneys in the trust fund may
4 be used by the office to acquire by competitive procurement
5 the equipment; software; and engineering, administrative, and
6 maintenance services it needs to construct, operate, and
7 maintain the statewide radio system. Moneys in the trust fund
8 collected as a result of the surcharges set forth in ss.
9 320.0802 and 328.72 shall be used to help fund the costs of
10 the system. Upon completion of the system, moneys in the
11 trust fund may also be used by the office to provide for
12 payment of the recurring maintenance costs of the system.

13 (4)(a) The office shall, in conjunction with the
14 Department of Law Enforcement and the Division of Emergency
15 Management of the Department of Community Affairs, establish
16 policies, procedures, and standards which shall be
17 incorporated into a comprehensive management plan for the use
18 and operation of the statewide radio communications system.

19 (b) The joint task force, in consultation with the
20 office, shall have the authority to permit other state
21 agencies to use the communications system, under terms and
22 conditions established by the joint task force.

23 (5) The office shall provide technical support to the
24 joint task force and shall bear the overall responsibility for
25 the design, engineering, acquisition, and implementation of
26 the statewide radio communications system and for ensuring the
27 proper operation and maintenance of all system common
28 equipment.

29 (6)(a) The State Technology Office may create and
30 implement an interoperability network to enable
31 interoperability between various radio communications

1 technologies and to serve federal agencies, state agencies,
2 and agencies of political subdivisions of the state for the
3 purpose of public safety and domestic security. The office
4 shall, in conjunction with the Department of Law Enforcement
5 and the Division of Emergency Management of the Department of
6 Community Affairs, exercise its powers and duties pursuant to
7 this chapter to plan, manage, and administer the
8 interoperability network. The office may:

9 1. Enter into mutual aid agreements among federal
10 agencies, state agencies, and political subdivisions of the
11 state for the use of the interoperability network.

12 2. Establish the cost of maintenance and operation of
13 the interoperability network and charge subscribing federal
14 and local law enforcement agencies for access and use of the
15 network. The State Technology Office may not charge state law
16 enforcement agencies identified in paragraph (2)(a) to use the
17 network.

18 3. In consultation with the Department of Law
19 Enforcement and the Division of Emergency Management of the
20 Department of Community Affairs, amend and enhance the
21 statewide radio communications system as necessary to
22 implement the interoperability network.

23 (b) The State Technology Office, in consultation with
24 the Joint Task Force on State Agency Law Enforcement
25 Communications, and in conjunction with the Department of Law
26 Enforcement and the Division of Emergency Management of the
27 Department of Community Affairs, shall establish policies,
28 procedures, and standards to incorporate into a comprehensive
29 management plan for the use and operation of the
30 interoperability network.

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1 Section 2. This act shall take effect upon becoming a
2 law.

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4 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
5 COMMITTEE SUBSTITUTE FOR
6 Senate Bill 2636

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7 Provides for a board member of the Joint Task Force on State
8 Agency Law Enforcement Communications to appoint an alternate
9 to represent said member on the board and vote on board
business in the member's absence.

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