

# 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.)

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Prepared By: Criminal Justice Committee

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BILL: SB 1772

SPONSOR: Senator Baker

SUBJECT: Law Enforcement Consolidation

DATE: April 21, 2005

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Erickson	Cannon	CJ	<b>Pre-meeting</b>
2.	_____	_____	GO	_____
3.	_____	_____	JA	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

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## I. Summary:

Currently, there are 26 separate law enforcement commands employing more than 6,000 individuals who are dispersed among the departments, agencies, universities, and community colleges of the state.

Senate Bill 1772 creates a five-person Law Enforcement Agency Consolidation Task Force to explore whether the state should consolidate some or all of these law enforcement positions under one department for the purpose of a unified command. Two members are to be appointed by the Governor, one by the Attorney General, and one each by the President of the Senate and the Speaker of the House. The task force must issue its report prior to the 2006 session.

This bill creates new and unnumbered sections of the Florida Statutes.

## II. Present Situation:

Currently, state law enforcement responsibilities and law enforcement positions are dispersed among the departments, agencies, universities, and community colleges of the state. State agencies with law enforcement units are the Department of Agriculture and Consumer Services, the Department of Business and Professional regulation, the Department of Children and Families, the Department of Corrections, the Department of Environmental Protection, the Department of Financial Services, the Department of Highway Safety and Motor Vehicles, the Department of Juvenile Justice, the Department of Law Enforcement, the Department of Legal Affairs, the Department of Transportation, the Florida Fish and Wildlife Conservation Commission, and the Florida School for the Deaf and Blind.

In addition, the 11 universities have authorized law enforcement positions, and 3 of the 28 community colleges have law enforcement units.

### **III. Effect of Proposed Changes:**

The bill creates a Law Enforcement Agency Consolidation Task Force charged with investigating the issue of consolidating state law enforcement personnel under a unified command. The task force membership consists of five members:

- Two persons from private industry who have expertise in corporate mergers and law enforcement are to be appointed by the Governor;
- The Attorney General or the Attorney General's designee;
- A member of the Senate appointed by the Senate President; and
- A member of the House of Representatives appointed by the Speaker of the House.

Members are to be selected no later than July 10, 2005. The task force is to meet for the first time no later than July 15, 2005, at which time the task force will appoint its chair from its members. Three members constitute a quorum. The task force is subject to public record requirements found in ch. 119, F.S., and public meeting requirements found in s. 286.011, F.S. The public in attendance at a meeting must be given an opportunity to participate in the meeting. The Executive Office of the Governor is required to provide timely notice of the time and place of task force meetings to those persons requesting notice. The task force members do not receive compensation for their membership on the task force, but receive reimbursement for per diem and travel expenses.

The task force is to investigate and report to the Legislature on the effect of consolidating state law enforcement personnel under a unified command. Its initial report is due no later than 45 days prior to the first day of the 2006 regular legislative session. Its final report is due no later than 30 days prior to the first day of the 2006 regular legislative session.

In these reports, the task force must:

- Identify all law enforcement functions and duties of personnel positions that exist in each state agency;
- Identify all statutory provisions assigning law enforcement duties to state agencies;
- Identify the options considered by the task force for consolidation of law enforcement functions, duties, and personnel, and identify the costs for consolidation under each option;
- Determine whether consolidation of all law enforcement functions, law enforcement personnel, or both, would prove more effective and efficient than the current distribution of law enforcement activities and sworn personnel. This determination must include a cost analysis and comparison; and
- If the determination is made that consolidation is more effective and efficient than the current distribution of law enforcement activities and sworn personnel, recommend proposed legislation based upon the recommended best option for consolidating all law enforcement functions, law enforcement personnel, or both. This recommendation must

include provision for any necessary restructuring of agencies as a result of the recommended reorganization.

Agencies are to cooperate with the task force in the performance of its duties. Each agency that has law enforcement functions or sworn law enforcement personnel are specifically required to produce a report no later than August 1, 2005, that provides the authority the agency relies upon for the performance of the responsibilities or the employment of sworn personnel.

The bill takes effect upon becoming law. The task force will be abolished by its own terms on July 1, 2006.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Task force members will not receive any salary, but must be reimbursed for travel and per diem. Members will be required to meet, and thus will incur travel and per diem costs. The bill does not specify who pays for travel and per diem expenses; therefore, such expenses will be the responsibility of the agency appointing such persons to the task force. The Executive Office of the Governor staffs the task force within existing appropriations.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

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

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## **VIII. Summary of Amendments:**

None.

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