

1 A bill to be entitled
 2 An act relating to law enforcement communications;
 3 amending s. 282.1095, F.S.; designating the Enterprise
 4 Information Technology Services Office as the state agency
 5 to implement a statewide radio communications system to
 6 serve law enforcement agencies and other local and state
 7 agencies; directing the office, in consultation with the
 8 Joint Task Force on State Agency Law Enforcement
 9 Communications, to conduct a review of the implementation
 10 and operation of the interoperability network in the
 11 state; requiring the office to prepare a report detailing
 12 the operation of the network; directing the office to make
 13 recommendations, if appropriate, for modifying the
 14 comprehensive management plan; requiring that the report
 15 be sent to the Governor and the Legislature; requiring
 16 state agencies and political subdivisions to achieve
 17 consistency with and support the goals of the
 18 comprehensive management plan by a specified date;
 19 providing an effective date.

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

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

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

27 (1) The Enterprise Information ~~State~~ Technology Services
 28 Office may acquire and implement a statewide radio

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29 | communications system to serve law enforcement units of state
30 | agencies, and to serve local law enforcement agencies through
31 | mutual aid channels. The Joint Task Force on State Agency Law
32 | Enforcement Communications is established in the Enterprise
33 | Information State Technology Services Office to advise the
34 | office of member-agency needs for the planning, designing, and
35 | establishment of the joint system. The State Agency Law
36 | Enforcement Radio System Trust Fund is established in the
37 | Enterprise Information State Technology Services Office. The
38 | trust fund shall be funded from surcharges collected under ss.
39 | 320.0802 and 328.72.

40 | (2) (a) The Joint Task Force on State Agency Law
41 | Enforcement Communications shall consist of eight members, as
42 | follows:

43 | 1. A representative of the Division of Alcoholic Beverages
44 | and Tobacco of the Department of Business and Professional
45 | Regulation who shall be appointed by the secretary of the
46 | department.

47 | 2. A representative of the Division of Florida Highway
48 | Patrol of the Department of Highway Safety and Motor Vehicles
49 | who shall be appointed by the executive director of the
50 | department.

51 | 3. A representative of the Department of Law Enforcement
52 | who shall be appointed by the executive director of the
53 | department.

54 | 4. A representative of the Fish and Wildlife Conservation
55 | Commission who shall be appointed by the executive director of
56 | the commission.

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57 5. A representative of the Division of Law Enforcement of
58 the Department of Environmental Protection who shall be
59 appointed by the secretary of the department.

60 6. A representative of the Department of Corrections who
61 shall be appointed by the secretary of the department.

62 7. A representative of the Division of State Fire Marshal
63 of the Department of Financial Services who shall be appointed
64 by the State Fire Marshal.

65 8. A representative of the Department of Transportation
66 who shall be appointed by the secretary of the department.

67 (b) Each appointed member of the joint task force shall
68 serve at the pleasure of the appointing official. Any vacancy on
69 the joint task force shall be filled in the same manner as the
70 original appointment. Any joint task force member may, upon
71 notification to the chair before ~~prior to~~ the beginning of any
72 scheduled meeting, appoint an alternative to represent the
73 member on the task force and vote on task force business in his
74 or her absence.

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

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

82 (e) The per diem and travel expenses incurred by a member
83 of the joint task force in attending its meetings and in
84 attending to its affairs shall be paid pursuant to s. 112.061,

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85 from funds budgeted to the state agency that the member
86 represents.

87 (f) The Enterprise Information State Technology Services
88 Office may ~~is hereby authorized to~~ rent or lease space on any
89 tower under its control. The office may also rent, lease, or
90 sublease ground space as necessary to locate equipment to
91 support antennae on the towers. The costs for use of such space
92 shall be established by the office for each site, when it is
93 determined to be practicable and feasible to make space
94 available. The office may refuse to lease space on any tower at
95 any site. All moneys collected by the office for such rents,
96 leases, and subleases shall be deposited directly into the Law
97 Enforcement Radio Operating Trust Fund and may be used by the
98 office to construct, maintain, or support the system.

99 (g) The Enterprise Information State Technology Services
100 Office may ~~is hereby authorized to~~ rent, lease, or sublease
101 ground space on lands acquired by the office for the
102 construction of privately owned or publicly owned towers. The
103 office may, as a part of such rental, lease, or sublease
104 agreement, require space on said tower or towers for antennae as
105 may be necessary for the construction and operation of the state
106 agency law enforcement radio system or any other state need. The
107 positions necessary for the office to accomplish its duties
108 under this paragraph and paragraph (f) shall be established in
109 the General Appropriations Act and shall be funded by the Law
110 Enforcement Radio Operating Trust Fund or other revenue sources.

111 (h) The Enterprise Information State Technology Services
112 Office may make the mutual aid channels in the statewide radio

113 | communications system available to federal agencies, state
114 | agencies, and agencies of the political subdivisions of the
115 | state for the purpose of public safety and domestic security.
116 | The office shall exercise its powers and duties, as specified in
117 | this chapter, to plan, manage, and administer the mutual aid
118 | channels. The office shall, in implementing such powers and
119 | duties, act in consultation and conjunction with the Department
120 | of Law Enforcement and the Division of Emergency Management of
121 | the Department of Community Affairs, and shall manage and
122 | administer the mutual aid channels in a manner that reasonably
123 | addresses the needs and concerns of the involved law enforcement
124 | agencies and emergency response agencies and entities.

125 | (3) Upon appropriation, moneys in the trust fund may be
126 | used by the office to acquire by competitive procurement the
127 | equipment; software; and engineering, administrative, and
128 | maintenance services it needs to construct, operate, and
129 | maintain the statewide radio system. Moneys in the trust fund
130 | collected as a result of the surcharges set forth in ss.
131 | 320.0802 and 328.72 shall be used to help fund the costs of the
132 | system. Upon completion of the system, moneys in the trust fund
133 | may also be used by the office to provide for payment of the
134 | recurring maintenance costs of the system.

135 | (4) (a) The office shall, in conjunction with the
136 | Department of Law Enforcement and the Division of Emergency
137 | Management of the Department of Community Affairs, establish
138 | policies, procedures, and standards which shall be incorporated
139 | into a comprehensive management plan for the use and operation
140 | of the statewide radio communications system.

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141 (b) The joint task force, in consultation with the office,
142 shall have the authority to permit other state agencies to use
143 the communications system, under terms and conditions
144 established by the joint task force.

145 (5) The office shall provide technical support to the
146 joint task force and shall bear the overall responsibility for
147 the design, engineering, acquisition, and implementation of the
148 statewide radio communications system and for ensuring the
149 proper operation and maintenance of all system common equipment.

150 (6) (a) The Enterprise Information State Technology
151 Services Office may create and implement an interoperability
152 network to enable interoperability between various radio
153 communications technologies and to serve federal agencies, state
154 agencies, and agencies of political subdivisions of the state
155 for the purpose of public safety and domestic security. The
156 office shall, in conjunction with the Department of Law
157 Enforcement and the Division of Emergency Management of the
158 Department of Community Affairs, exercise its powers and duties
159 pursuant to this chapter to plan, manage, and administer the
160 interoperability network. The office may:

161 1. Enter into mutual aid agreements among federal
162 agencies, state agencies, and political subdivisions of the
163 state for the use of the interoperability network.

164 2. Establish the cost of maintenance and operation of the
165 interoperability network and charge subscribing federal and
166 local law enforcement agencies for access and use of the
167 network. The ~~State Technology~~ office may not charge state law
168 enforcement agencies identified in paragraph (2) (a) to use the

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169 network.

170 3. In consultation with the Department of Law Enforcement
171 and the Division of Emergency Management of the Department of
172 Community Affairs, amend and enhance the statewide radio
173 communications system as necessary to implement the
174 interoperability network.

175 (b) The Enterprise Information ~~State~~ Technology Services
176 Office, in consultation with the Joint Task Force on State
177 Agency Law Enforcement Communications, and in conjunction with
178 the Department of Law Enforcement and the Division of Emergency
179 Management of the Department of Community Affairs, shall
180 establish policies, procedures, and standards to incorporate
181 into a comprehensive management plan for the use and operation
182 of the interoperability network.

183 (c) By January 1, 2007, the Enterprise Information
184 Technology Services Office, in consultation with the joint task
185 force, shall review the implementation and operation of the
186 interoperability network to ensure that the comprehensive
187 management plan for the statewide interoperability network is
188 effectively and efficiently facilitating communication between
189 state, local, and federal communication systems. After reviewing
190 the network, the office shall prepare a report detailing the
191 operation of the network and make recommendations, if
192 appropriate, for modifying the comprehensive management plan. A
193 copy of the report shall be provided to the Governor, the
194 President of the Senate, and the Speaker of the House of
195 Representatives. Thereafter, the office shall prepare such a
196 report each year.

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197 (7) All state agencies and political subdivisions shall
198 achieve consistency with and support the goals of the
199 comprehensive management plan by July 1, 2011, in order to
200 remain eligible to receive state or federal funds for
201 communications programs and systems.

202 Section 2. This act shall take effect July 1, 2006.