

By Senator Campbell

32-1257-06

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

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

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28 Section 1. Section 282.1095, Florida Statutes, is
29 amended to read:

30 282.1095 State agency law enforcement radio system and
31 interoperability network.--

1 (1) The Enterprise Information State Technology
2 Services Office may acquire and implement a statewide radio
3 communications system to serve law enforcement units of state
4 agencies, and to serve local law enforcement agencies through
5 mutual aid channels. The Joint Task Force on State Agency Law
6 Enforcement Communications is established in the Enterprise
7 Information State Technology Services Office to advise the
8 office of member-agency needs for the planning, designing, and
9 establishment of the joint system. The State Agency Law
10 Enforcement Radio System Trust Fund is established in the
11 Enterprise Information State Technology Services Office. The
12 trust fund shall be funded from surcharges collected under ss.
13 320.0802 and 328.72.

14 (2)(a) The Joint Task Force on State Agency Law
15 Enforcement Communications shall consist of eight members, as
16 follows:

17 1. A representative of the Division of Alcoholic
18 Beverages and Tobacco of the Department of Business and
19 Professional Regulation who shall be appointed by the
20 secretary of the department.

21 2. A representative of the Division of Florida Highway
22 Patrol of the Department of Highway Safety and Motor Vehicles
23 who shall be appointed by the executive director of the
24 department.

25 3. A representative of the Department of Law
26 Enforcement who shall be appointed by the executive director
27 of the department.

28 4. A representative of the Fish and Wildlife
29 Conservation Commission who shall be appointed by the
30 executive director of the commission.
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1 5. A representative of the Division of Law Enforcement
2 of the Department of Environmental Protection who shall be
3 appointed by the secretary of the department.

4 6. A representative of the Department of Corrections
5 who shall be appointed by the secretary of the department.

6 7. A representative of the Division of State Fire
7 Marshal of the Department of Financial Services who shall be
8 appointed by the State Fire Marshal.

9 8. A representative of the Department of
10 Transportation who shall be appointed by the secretary of the
11 department.

12 (b) Each appointed member of the joint task force
13 shall serve at the pleasure of the appointing official. Any
14 vacancy on the joint task force shall be filled in the same
15 manner as the original appointment. Any joint task force
16 member may, upon notification to the chair before ~~prior~~ to the
17 beginning of any scheduled meeting, appoint an alternative to
18 represent the member on the task force and vote on task force
19 business in his or her absence.

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

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

28 (e) The per diem and travel expenses incurred by a
29 member of the joint task force in attending its meetings and
30 in attending to its affairs shall be paid pursuant to s.
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1 112.061, from funds budgeted to the state agency that the
2 member represents.

3 (f) The Enterprise Information State Technology
4 Services Office ~~may is hereby authorized to~~ rent or lease
5 space on any tower under its control. The office may also
6 rent, lease, or sublease ground space as necessary to locate
7 equipment to support antennae on the towers. The costs for
8 use of such space shall be established by the office for each
9 site, when it is determined to be practicable and feasible to
10 make space available. The office may refuse to lease space on
11 any tower at any site. All moneys collected by the office for
12 such rents, leases, and subleases shall be deposited directly
13 into the Law Enforcement Radio Operating Trust Fund and may be
14 used by the office to construct, maintain, or support the
15 system.

16 (g) The Enterprise Information State Technology
17 Services Office ~~may is hereby authorized to~~ rent, lease, or
18 sublease ground space on lands acquired by the office for the
19 construction of privately owned or publicly owned towers. The
20 office may, as a part of such rental, lease, or sublease
21 agreement, require space on said tower or towers for antennae
22 as may be necessary for the construction and operation of the
23 state agency law enforcement radio system or any other state
24 need. The positions necessary for the office to accomplish its
25 duties under this paragraph and paragraph (f) shall be
26 established in the General Appropriations Act and shall be
27 funded by the Law Enforcement Radio Operating Trust Fund or
28 other revenue sources.

29 (h) The Enterprise Information State Technology
30 Services Office may make the mutual aid channels in the
31 statewide radio communications system available to federal

1 agencies, state agencies, and agencies of the political
2 subdivisions of the state for the purpose of public safety and
3 domestic security. The office shall exercise its powers and
4 duties, as specified in this chapter, to plan, manage, and
5 administer the mutual aid channels. The office shall, in
6 implementing such powers and duties, act in consultation and
7 conjunction with the Department of Law Enforcement and the
8 Division of Emergency Management of the Department of
9 Community Affairs, and shall manage and administer the mutual
10 aid channels in a manner that reasonably addresses the needs
11 and concerns of the involved law enforcement agencies and
12 emergency response agencies and entities.

13 (3) Upon appropriation, moneys in the trust fund may
14 be used by the office to acquire by competitive procurement
15 the equipment; software; and engineering, administrative, and
16 maintenance services it needs to construct, operate, and
17 maintain the statewide radio system. Moneys in the trust fund
18 collected as a result of the surcharges set forth in ss.
19 320.0802 and 328.72 shall be used to help fund the costs of
20 the system. Upon completion of the system, moneys in the
21 trust fund may also be used by the office to provide for
22 payment of the recurring maintenance costs of the system.

23 (4)(a) The office shall, in conjunction with the
24 Department of Law Enforcement and the Division of Emergency
25 Management of the Department of Community Affairs, establish
26 policies, procedures, and standards which shall be
27 incorporated into a comprehensive management plan for the use
28 and operation of the statewide radio communications system.

29 (b) The joint task force, in consultation with the
30 office, shall have the authority to permit other state
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1 agencies to use the communications system, under terms and
2 conditions established by the joint task force.

3 (5) The office shall provide technical support to the
4 joint task force and shall bear the overall responsibility for
5 the design, engineering, acquisition, and implementation of
6 the statewide radio communications system and for ensuring the
7 proper operation and maintenance of all system common
8 equipment.

9 (6)(a) The Enterprise Information State Technology
10 Services Office may create and implement an interoperability
11 network to enable interoperability between various radio
12 communications technologies and to serve federal agencies,
13 state agencies, and agencies of political subdivisions of the
14 state for the purpose of public safety and domestic security.
15 The office shall, in conjunction with the Department of Law
16 Enforcement and the Division of Emergency Management of the
17 Department of Community Affairs, exercise its powers and
18 duties pursuant to this chapter to plan, manage, and
19 administer the interoperability network. The office may:

20 1. Enter into mutual aid agreements among federal
21 agencies, state agencies, and political subdivisions of the
22 state for the use of the interoperability network.

23 2. Establish the cost of maintenance and operation of
24 the interoperability network and charge subscribing federal
25 and local law enforcement agencies for access and use of the
26 network. The ~~State Technology~~ office may not charge state law
27 enforcement agencies identified in paragraph (2)(a) to use the
28 network.

29 3. In consultation with the Department of Law
30 Enforcement and the Division of Emergency Management of the
31 Department of Community Affairs, amend and enhance the

1 statewide radio communications system as necessary to
2 implement the interoperability network.

3 (b) The Enterprise Information State Technology
4 Services Office, in consultation with the Joint Task Force on
5 State Agency Law Enforcement Communications, and in
6 conjunction with the Department of Law Enforcement and the
7 Division of Emergency Management of the Department of
8 Community Affairs, shall establish policies, procedures, and
9 standards to incorporate into a comprehensive management plan
10 for the use and operation of the interoperability network.

11 (c) By January 1, 2007, the Enterprise Information
12 Technology Services Office, in consultation with the joint
13 task force, shall review the implementation and operation of
14 the interoperability network to ensure that the comprehensive
15 management plan for the statewide interoperability network is
16 effectively and efficiently facilitating communication between
17 state, local, and federal communication systems. After
18 reviewing the network, the office shall prepare a report
19 detailing the operation of the network and make
20 recommendations, if appropriate, for modifying the
21 comprehensive management plan. A copy of the report shall be
22 provided to the Governor, the President of the Senate, and the
23 Speaker of the House of Representatives. Thereafter, the
24 office shall prepare such a report each year.

25 (7) All state agencies and political subdivisions
26 shall achieve consistency with and support the goals of the
27 comprehensive management plan by July 1, 2011, in order to
28 remain eligible to receive state or federal funds for
29 communications programs and systems.

30 Section 2. This act shall take effect July 1, 2006.
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SENATE SUMMARY

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3 Designates the Enterprise Information Technology Services
4 Office as the state agency to implement a statewide radio
5 communications system for law enforcement agencies and
6 others. Directs the office, in consultation with the
7 Joint Task Force on State Agency Law Enforcement
8 Communications, to conduct a review of the implementation
9 and operation of the interoperability network in the
10 state. Requires the office to prepare a report detailing
11 the operation of the network. Directs the office to make
12 recommendations, if appropriate, for modifying the
13 comprehensive management plan. Provides that the report
14 be sent to the Governor and the Legislature. Requires
15 state agencies and political subdivisions to achieve
16 consistency with the comprehensive management plan. (See
17 bill for details.)
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