

1 A bill to be entitled
 2 An act relating to the legal jurisdiction of campus
 3 police; amending s. 23.1225, F.S.; redefining the term
 4 "mutual aid agreement" to authorize state university
 5 police officers to enforce laws within a specified
 6 jurisdictional area as agreed upon in the voluntary
 7 cooperation written agreement; amending s. 316.640, F.S.;
 8 authorizing university police officers to enforce traffic
 9 violations as agreed upon in a mutual aid agreement;
 10 amending s. 1012.97, F.S.; authorizing university police
 11 officers to arrest persons for violations as agreed upon
 12 in a mutual aid agreement; providing an effective date.

13

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

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16 Section 1. Paragraph (a) of subsection (1) of section
 17 23.1225, Florida Statutes, is amended to read:

18 23.1225 Mutual aid agreements.--

19 (1) The term "mutual aid agreement," as used in this part,
 20 refers to one of the following types of agreement:

21 (a) A voluntary cooperation written agreement between two
 22 or more law enforcement agencies, which agreement permits
 23 voluntary cooperation and assistance of a routine law
 24 enforcement nature across jurisdictional lines. The agreement
 25 must specify the nature of the law enforcement assistance to be
 26 rendered, the agency or entity that shall bear any liability
 27 arising from acts undertaken under the agreement, the procedures
 28 for requesting and for authorizing assistance, the agency or

29 | entity that has command and supervisory responsibility, a time
 30 | limit for the agreement, the amount of any compensation or
 31 | reimbursement to the assisting agency or entity, and any other
 32 | terms and conditions necessary to give it effect. Examples of
 33 | law enforcement activities that may be addressed in a voluntary
 34 | cooperation written agreement include, but are not limited to,
 35 | establishing a joint city-county task force on narcotics
 36 | smuggling, authorizing school safety officers to enforce laws in
 37 | an area within 1,000 feet of a school or school board property,
 38 | authorizing state university police officers to enforce laws
 39 | within a specified jurisdictional area as agreed upon in the
 40 | voluntary cooperation written agreement, or establishing a joint
 41 | city-county traffic enforcement task force.

42 | Section 2. Paragraph (a) of subsection (1) of section
 43 | 316.640, Florida Statutes, is amended to read:

44 | 316.640 Enforcement.--The enforcement of the traffic laws
 45 | of this state is vested as follows:

46 | (1) STATE.--

47 | (a)1.a. The Division of Florida Highway Patrol of the
 48 | Department of Highway Safety and Motor Vehicles; the Division of
 49 | Law Enforcement of the Fish and Wildlife Conservation
 50 | Commission; the Division of Law Enforcement of the Department of
 51 | Environmental Protection; law enforcement officers of the
 52 | Department of Transportation; and the agents, inspectors, and
 53 | officers of the Department of Law Enforcement each have
 54 | authority to enforce all of the traffic laws of this state on
 55 | all the streets and highways thereof and elsewhere throughout

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56 | the state wherever the public has a right to travel by motor
57 | vehicle.

58 | b. University police officers shall have authority to
59 | enforce all of the traffic laws of this state when ~~such~~
60 | violations occur on or about any property or facilities that are
61 | under the guidance, supervision, regulation, or control of a
62 | state university, a direct-support organization of such state
63 | university, or any other organization controlled by the state
64 | university or a direct-support organization of the state
65 | university, or when such violations occur within a specified
66 | jurisdictional area as agreed upon in a mutual aid agreement
67 | entered into with a law enforcement agency pursuant to s.
68 | 23.1225(1). ~~except that~~ Traffic laws may also be enforced off-
69 | campus when hot pursuit originates on or adjacent to any such
70 | property or facilities.

71 | c. Community college police officers shall have the
72 | authority to enforce all the traffic laws of this state only
73 | when such violations occur on any property or facilities that
74 | are under the guidance, supervision, regulation, or control of
75 | the community college system.

76 | d. Police officers employed by an airport authority shall
77 | have the authority to enforce all of the traffic laws of this
78 | state only when such violations occur on any property or
79 | facilities that are owned or operated by an airport authority.

80 | (I) An airport authority may employ as a parking
81 | enforcement specialist any individual who successfully completes
82 | a training program established and approved by the Criminal
83 | Justice Standards and Training Commission for parking

84 enforcement specialists but who does not otherwise meet the
85 uniform minimum standards established by the commission for law
86 enforcement officers or auxiliary or part-time officers under s.
87 943.12. Nothing in this sub-sub-subparagraph shall be construed
88 to permit the carrying of firearms or other weapons, nor shall
89 such parking enforcement specialist have arrest authority.

90 (II) A parking enforcement specialist employed by an
91 airport authority is authorized to enforce all state, county,
92 and municipal laws and ordinances governing parking only when
93 such violations are on property or facilities owned or operated
94 by the airport authority employing the specialist, by
95 appropriate state, county, or municipal traffic citation.

96 e. The Office of Agricultural Law Enforcement of the
97 Department of Agriculture and Consumer Services shall have the
98 authority to enforce traffic laws of this state.

99 f. School safety officers shall have the authority to
100 enforce all of the traffic laws of this state when such
101 violations occur on or about any property or facilities which
102 are under the guidance, supervision, regulation, or control of
103 the district school board.

104 2. An agency of the state as described in subparagraph 1.
105 is prohibited from establishing a traffic citation quota. A
106 violation of this subparagraph is not subject to the penalties
107 provided in chapter 318.

108 3. Any disciplinary action taken or performance evaluation
109 conducted by an agency of the state as described in subparagraph
110 1. of a law enforcement officer's traffic enforcement activity
111 must be in accordance with written work-performance standards.

112 Such standards must be approved by the agency and any collective
113 bargaining unit representing such law enforcement officer. A
114 violation of this subparagraph is not subject to the penalties
115 provided in chapter 318.

116 4. The Division of the Florida Highway Patrol may employ
117 as a traffic accident investigation officer any individual who
118 successfully completes instruction in traffic accident
119 investigation and court presentation through the Selective
120 Traffic Enforcement Program as approved by the Criminal Justice
121 Standards and Training Commission and funded through the
122 National Highway Traffic Safety Administration or a similar
123 program approved by the commission, but who does not necessarily
124 meet the uniform minimum standards established by the commission
125 for law enforcement officers or auxiliary law enforcement
126 officers under chapter 943. Any such traffic accident
127 investigation officer who makes an investigation at the scene of
128 a traffic accident may issue traffic citations, based upon
129 personal investigation, when he or she has reasonable and
130 probable grounds to believe that a person who was involved in
131 the accident committed an offense under this chapter, chapter
132 319, chapter 320, or chapter 322 in connection with the
133 accident. This subparagraph does not permit the officer to carry
134 firearms or other weapons, and such an officer does not have
135 authority to make arrests.

136 Section 3. Subsection (2) of section 1012.97, Florida
137 Statutes, is amended to read:

138 1012.97 University police.--

139 (2) The university police are ~~hereby~~ declared to be law
 140 enforcement officers of the state and conservators of the peace
 141 and have with the right to arrest, in accordance with the laws
 142 of this state, any person for violation of state law or
 143 applicable county or city ordinances when such violations occur
 144 on any property or facilities that are under the guidance,
 145 supervision, regulation, or control of the state university, ~~or~~
 146 a direct-support organization of such university, or any other
 147 organization controlled by the state university, or when such
 148 violations occur within a specified jurisdictional area as
 149 agreed upon in a mutual aid agreement entered into with a law
 150 enforcement agency pursuant to s. 23.1225(1), except that arrest
 151 may be made off campus when hot pursuit originates on any such
 152 property or facilities. Such officers ~~shall~~ have full authority
 153 to bear arms in the performance of their duties and to execute
 154 search warrants within their territorial jurisdiction.
 155 University police, when requested by the sheriff or local police
 156 authority, may serve subpoenas or other legal process and may
 157 make arrest of any person against whom a warrant has been issued
 158 or any charge has been made of violation of federal or state
 159 laws or county or city ordinances.

160 Section 4. This act shall take effect July 1, 2009.