

By the Committee on Higher Education Appropriations; and Senator
Dean

605-05106-09

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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 a mutual aid
7 agreement; amending s. 316.640, F.S.; authorizing
8 university police officers to enforce traffic
9 violations committed within a specified distance from
10 property under the supervision or control of the
11 university; amending s. 1012.97, F.S.; authorizing
12 university police officers to arrest persons for
13 violations that occur within a specified distance from
14 property owned or controlled by the university or a
15 direct-support organization of the university;
16 providing an effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Paragraph (a) of subsection (1) of section
21 23.1225, Florida Statutes, is amended to read:

22 23.1225 Mutual aid agreements.—

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

25 (a) A voluntary cooperation written agreement between two
26 or more law enforcement agencies, which agreement permits
27 voluntary cooperation and assistance of a routine law
28 enforcement nature across jurisdictional lines. The agreement
29 must specify the nature of the law enforcement assistance to be

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

46 Section 2. Paragraph (a) of subsection (1) of section
47 316.640, Florida Statutes, is amended to read:

48 316.640 Enforcement.—The enforcement of the traffic laws of
49 this state is vested as follows:

50 (1) STATE.—

51 (a)1.a. The Division of Florida Highway Patrol of the
52 Department of Highway Safety and Motor Vehicles; the Division of
53 Law Enforcement of the Fish and Wildlife Conservation
54 Commission; the Division of Law Enforcement of the Department of
55 Environmental Protection; law enforcement officers of the
56 Department of Transportation; and the agents, inspectors, and
57 officers of the Department of Law Enforcement each have
58 authority to enforce all of the traffic laws of this state on

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59 all the streets and highways thereof and elsewhere throughout
60 the state wherever the public has a right to travel by motor
61 vehicle.

62 b. University police officers shall have authority to
63 enforce all of the traffic laws of this state when ~~such~~
64 violations occur on or within 1,000 feet of ~~about~~ any property
65 or facilities that are under the guidance, supervision,
66 regulation, or control of a state university, a direct-support
67 organization of such state university, or any other organization
68 controlled by the state university or a direct-support
69 organization of the state university, or when such violations
70 occur within a specified jurisdictional area as agreed upon in a
71 mutual aid agreement entered into with a law enforcement agency
72 pursuant to s. 23.1225(1). ~~except that~~ Traffic laws may also be
73 enforced off-campus when hot pursuit originates on or within
74 1,000 feet of ~~adjacent to~~ any such property or facilities, or as
75 agreed upon in accordance with the mutual aid agreement.

76 c. Community college police officers shall have the
77 authority to enforce all the traffic laws of this state only
78 when such violations occur on any property or facilities that
79 are under the guidance, supervision, regulation, or control of
80 the community college system.

81 d. Police officers employed by an airport authority shall
82 have the authority to enforce all of the traffic laws of this
83 state only when such violations occur on any property or
84 facilities that are owned or operated by an airport authority.

85 (I) An airport authority may employ as a parking
86 enforcement specialist any individual who successfully completes
87 a training program established and approved by the Criminal

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88 Justice Standards and Training Commission for parking
89 enforcement specialists but who does not otherwise meet the
90 uniform minimum standards established by the commission for law
91 enforcement officers or auxiliary or part-time officers under s.
92 943.12. Nothing in this sub-sub-subparagraph shall be construed
93 to permit the carrying of firearms or other weapons, nor shall
94 such parking enforcement specialist have arrest authority.

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

101 e. The Office of Agricultural Law Enforcement of the
102 Department of Agriculture and Consumer Services shall have the
103 authority to enforce traffic laws of this state.

104 f. School safety officers shall have the authority to
105 enforce all of the traffic laws of this state when such
106 violations occur on or about any property or facilities which
107 are under the guidance, supervision, regulation, or control of
108 the district school board.

109 2. An agency of the state as described in subparagraph 1.
110 is prohibited from establishing a traffic citation quota. A
111 violation of this subparagraph is not subject to the penalties
112 provided in chapter 318.

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

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

121 4. The Division of the Florida Highway Patrol may employ as
122 a traffic accident investigation officer any individual who
123 successfully completes instruction in traffic accident
124 investigation and court presentation through the Selective
125 Traffic Enforcement Program as approved by the Criminal Justice
126 Standards and Training Commission and funded through the
127 National Highway Traffic Safety Administration or a similar
128 program approved by the commission, but who does not necessarily
129 meet the uniform minimum standards established by the commission
130 for law enforcement officers or auxiliary law enforcement
131 officers under chapter 943. Any such traffic accident
132 investigation officer who makes an investigation at the scene of
133 a traffic accident may issue traffic citations, based upon
134 personal investigation, when he or she has reasonable and
135 probable grounds to believe that a person who was involved in
136 the accident committed an offense under this chapter, chapter
137 319, chapter 320, or chapter 322 in connection with the
138 accident. This subparagraph does not permit the officer to carry
139 firearms or other weapons, and such an officer does not have
140 authority to make arrests.

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

143 1012.97 University police.—

144 (2) The university police are ~~hereby~~ declared to be law
145 enforcement officers of the state and conservators of the peace

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146 and have ~~with~~ the right to arrest, in accordance with the laws
147 of this state, any person for violation of state law or
148 applicable county or city ordinances when such violations occur
149 on or within 1,000 feet of any property or facilities that are
150 under the guidance, supervision, regulation, or control of the
151 state university, ~~or~~ a direct-support organization of such
152 university, or any other organization controlled by the state
153 university, or when such violations occur within a specified
154 jurisdictional area as agreed upon in a mutual aid agreement
155 entered into with a law enforcement agency pursuant to s.
156 23.1225(1). ~~except that~~ Arrest may be made off campus when hot
157 pursuit originates on or within 1,000 feet of any such property
158 or facilities, or as agreed upon in accordance with the mutual
159 aid agreement. Such officers ~~shall~~ have full authority to bear
160 arms in the performance of their duties and to execute search
161 warrants within their territorial jurisdiction. University
162 police, when requested by the sheriff or local police authority,
163 may serve subpoenas or other legal process and may make arrest
164 of any person against whom a warrant has been issued or any
165 charge has been made of violation of federal or state laws or
166 county or city ordinances.

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