

ENROLLED  
 HB 1055

2010 Legislature

1                                   A bill to be entitled  
 2           An act relating to Brevard County; amending chapter 87-  
 3           423, Laws of Florida, as amended; changing the name of the  
 4           Brevard Police Testing and Certification Center to the  
 5           Brevard Police Testing and Selection Center; providing for  
 6           change in composition and membership of the board of  
 7           directors; providing the board has authority to recommend  
 8           approval of agreements with and acceptance of funds or  
 9           services from any federal, state, or local governmental  
 10          entity or political subdivision, any college or  
 11          university, or any private or civic source; clarifying the  
 12          center's primary mission; providing for applicant testing,  
 13          screening, and information services for criminal justice  
 14          and public safety positions; authorizing certain applicant  
 15          fees; revising provisions relating to establishment,  
 16          approval, and use of user fees; providing an effective  
 17          date.

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

20  
 21           Section 1. Sections 1, 2, 4, 6, and 7 of chapter 87-423,  
 22           as amended by chapter 89-520, Laws of Florida, are amended to  
 23           read:

24           Section 1. There is hereby created at Brevard Community  
 25           College an organization to be known as the "Brevard Police  
 26           Testing and Selection Certification Center," hereinafter called  
 27           the "center." The center, under the direction and control of the  
 28           college, shall provide standardized testing of law enforcement

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29 officers for all units of local government in Brevard County and  
30 a pool of qualified candidates for employment of law enforcement  
31 officers throughout Brevard County.

32 Section 2. The center shall be administered by the college  
33 through a board of directors comprised of the following ~~16~~  
34 members:

35 (1) The chief of police from each law enforcement agency  
36 employing law enforcement officers as defined in chapter 943,  
37 Florida Statutes, having its headquarters in Brevard County, or  
38 his or her designee. ~~The chiefs of police of the municipalities~~  
39 ~~of Titusville, Cocoa, Rockledge, Cocoa Beach, Satellite Beach,~~  
40 ~~Indian Harbour Beach, Indialantic, Melbourne Beach, Melbourne,~~  
41 ~~West Melbourne, Melbourne Village, and Palm Bay.~~

42 (2) The Sheriff of Brevard County or his or her designee.

43 (3) The State Attorney for Brevard County or a prosecuting  
44 attorney appointed by the State Attorney.

45 (4) The President of Brevard Community College or his or  
46 her designee.

47 (5) The director of the Law Enforcement Academy of Brevard  
48 Community College or his or her designee.

49 Section 4. The board of directors shall recommend to the  
50 college board for approval the following:

51 (1) Criteria for testing, physical examination, and  
52 background investigation for police officers.

53 (2) The amounts of any user fees charged by the center.

54 (3) The annual budget for the center.

55 (4) The number and types of employees employed by the  
56 center.

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57           (5) Agreements to accept and expend funds or services from  
58 any federal, state, or local governmental entity or political  
59 subdivision; any colleges or universities, including Brevard  
60 Community College; and any private or civic sources.

61           (6)~~(5)~~ Any other criteria or requirements for proper  
62 administration of the center.

63           Section 6. (1) The center shall develop, establish, and  
64 maintain a centralized information center on prospective  
65 candidates for law enforcement officers in Brevard County. The  
66 center's primary mission center shall be to provide and  
67 undertake standardized screening, testing, physical examination,  
68 and background investigation of law enforcement applicants.

69           (2) Upon the request of any law enforcement agency in  
70 Brevard County, the center shall provide a list of qualified  
71 applicants for employment as law enforcement officers and report  
72 all information gathered during the testing, screening, and  
73 investigation of each applicant.

74           (3) No report or information concerning any applicant  
75 shall be released to any law enforcement agency or to any other  
76 party without the consent of the applicant.

77           (4) In addition to the foregoing, the center may make  
78 recommendations concerning uniform standards for the recruitment  
79 and testing of law enforcement officers.

80           (5) The center may enter into contracts and agreements to  
81 carry out its purposes. Any such contracts shall require  
82 approval by the board of directors and Brevard Community  
83 College.

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84 (6) The activities of the center shall not generate full-  
 85 time equivalent (FTE) students for the college as a part of the  
 86 community college's enrollment. Classes which are part of the  
 87 regular program of the college to train law enforcement officers  
 88 are not affected by this prohibition.

89 (7) The board of directors may elect to provide, in whole  
 90 or in part, similar applicant testing, screening, and  
 91 information services, as outlined in this section, for the state  
 92 and its agencies, colleges, and universities, including Brevard  
 93 Community College, Brevard County, and the several  
 94 municipalities and agencies within Brevard County that provide  
 95 criminal justice or public safety related services through  
 96 contract with any of the foregoing, for prospective candidates  
 97 for law enforcement, law enforcement support, corrections, and  
 98 other public safety positions, including, but not limited to,  
 99 law enforcement officer, corrections officer, firefighter,  
 100 emergency medical technician or paramedic, public safety  
 101 answering point call taker, dispatcher, communications operator,  
 102 crime scene technician, or other criminal justice or public  
 103 safety position as deemed appropriate by the board. The board  
 104 may enter into agreements necessary to carry out this work, with  
 105 the costs of such screening, including a reasonable allowance  
 106 for overhead being paid by the agency receiving the service.  
 107 Such agreements may provide reasonable fees to be paid by  
 108 applicants to offset a portion of the screening costs.

109 Section 7. (1) There is hereby created the Brevard Police  
 110 Testing and Selection Certification ~~account~~ account within the auxiliary  
 111 fund at Brevard Community College, which account within the

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112 auxiliary fund shall be used exclusively for the operation and  
113 administration of the center. Moneys deposited into the account  
114 within the auxiliary fund shall consist of the following:

115 (a) A sum of \$3 which shall be assessed as a court cost by  
116 both the circuit court and the county court in Brevard County  
117 against every person who is convicted or who has had  
118 adjudication withheld for a violation of a state criminal  
119 statute or a municipal or county ordinance or who pays a fine or  
120 civil penalty for any violation of chapter 316, Florida  
121 Statutes. The said cost of \$3 shall be assessed in addition to  
122 any fine, civil penalty, or other court cost and shall not be  
123 deducted from the proceeds of that portion of any fine or civil  
124 penalty which is received by a municipality in Brevard County or  
125 by Brevard County in accordance with the provisions of ss.  
126 316.660 and 318.21, Florida Statutes. The \$3 cost shall  
127 specifically be added to any civil penalty paid for a violation  
128 of chapter 316, Florida Statutes, whether such penalty is paid  
129 by mail, paid in person without request for a hearing, or paid  
130 after hearing and determination by the county court. However, no  
131 such \$3 assessment shall be made against a person for a  
132 violation of any state statute, county ordinance, or municipal  
133 ordinance relating to the parking of vehicles. The Clerk of the  
134 Court of Brevard County shall collect the respective \$3 court  
135 costs established in this paragraph and shall remit the same to  
136 the center on a monthly basis.

137 (b) Such user fees as are established from time to time by  
138 the center's board of directors and approved by the Brevard  
139 Community College Board of Trustees for use of the services of

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140 the center pursuant to section 6(7) ~~by law enforcement agencies~~  
141 ~~in Brevard County.~~

142 (c) Such donations and grants as the center may receive.

143 (d) No funds shall be transferred from the general current  
144 fund, the restricted current fund, or any other auxiliary fund  
145 for the operation of this center.

146 (2) Brevard Community College shall prepare an annual  
147 budget for the operation and administration of the center, which  
148 budget shall be for the period beginning July 1 and ending June  
149 30 each year. The budget for any such fiscal year shall be  
150 submitted to the board of directors of the center for its  
151 consideration and approval no later than June 1 of the previous  
152 fiscal year. The total expenditures for any fiscal year shall  
153 not exceed the funds available from the account within the  
154 auxiliary fund described in subsection (1), and no program for  
155 the center shall be approved by the board of directors unless  
156 all funds for such program are available from the said account  
157 within the auxiliary fund.

158 Section 2. This act shall take effect upon becoming a law.