

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: SB 454

INTRODUCER: Senator Benacquisto

SUBJECT: Florida College System Police Officers

DATE: March 11, 2013 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harkey	Klebacha	ED	Pre-meeting
2.			CJ	
3.				
4.				
5.				
6.				

I. Summary:

SB 454 expands the jurisdiction of Florida College System (FCS) institution police officers to enforce the law, consistent with the same authority that is provided to state university police officers. In particular, the bill authorizes college police officers to:

- Enforce laws within defined jurisdictional areas as agreed upon in a mutual aid agreement with another law enforcement agency;
- Enforce traffic laws when the violations occur within 1,000 feet of any college owned or controlled property or facilities;
- Enforce traffic laws beyond the 1,000-foot threshold when hot pursuit originates on college property or within 1,000 feet of college owned or controlled property or facilities, or as agreed upon in accordance with a mutual aid agreement.
- Arrest persons for violations of state law or applicable county or city ordinances if the violation occurs on or within 1,000 feet of college owned or controlled property or facilities;
- Arrest persons for violations of state law or applicable county or city ordinances beyond the 1,000-foot threshold when hot pursuit originates on college property or within 1,000 feet of college owned or controlled property or facilities, or as agreed upon in accordance with a mutual aid agreement.

The bill will take effect July 1, 2013.

SB 454 amends ss. 23.1225, 316.640, and 1012.88, Florida Statutes.

II. Present Situation:

The Florida Mutual Aid Act¹ establishes the state's policy for mutual aid agreements between law enforcement agencies in situations that cross jurisdictional lines. The law provides examples of law enforcement activities that may be addressed in a written agreement, including the authorization for school safety officers to enforce laws in an area within 1,000 feet of a school or school board property and for state university police officers to enforce laws within an agreed-upon area. The statute is silent regarding mutual aid agreements between college police and local law enforcement agencies.

Under s. 316.640(1)(a)1.c., F.S., relating to enforcement of traffic laws, police officers of a Florida College System institution may enforce all state traffic laws when violations occur on any property or facilities that are under the guidance, supervision, regulation or control of the Florida College System. This section provides the same authority for state university police officers but goes further to authorize hot pursuit activities when agreed upon in a mutual aid agreement with local law enforcement.

Section 1012.88, F.S., authorizes each Florida College System institution to employ police officers for that institution and requires that such officers be called "Florida College System institution police". FCS institution police may enforce laws and may arrest anyone for violations of law that occur on college property. All FCS police must meet minimum standards established by the Police Standards and Training Commission of the Florida Department of Law Enforcement.

According to the Department of Education, as of February 4, 2013, there were five Florida College System institutions with a police force: Pensacola State College, Tallahassee Community College, Santa Fe College, Miami Dade College, and Edison State College.²

III. Effect of Proposed Changes:

SB 454 aligns the jurisdictional authority of Florida College System institution police officers with the same statutory authorities established for state university police. Specifically, the bill authorizes FCS institution police officers to:

- Enforce laws within defined jurisdictional areas as agreed upon in a mutual aid agreement with another law enforcement agency;
- Enforce traffic laws when the violations occur within 1,000 feet of any college owned or controlled property or facilities;
- Enforce traffic laws beyond the 1,000-foot threshold when hot pursuit originates on college property or within 1,000 feet of college owned or controlled property or facilities, or as agreed upon in accordance with a mutual aid agreement;
- Arrest persons for violations of state law or applicable county or city ordinances if the violation occurs on, or within 1,000 feet of, college owned or controlled property, and on facilities;

¹ ch. 23, pt. I, F.S.

² Florida Department of Education bill analysis for SB 454, on file with the Senate Education Committee.

- Arrest persons for violations of state law or applicable county or city ordinances beyond the 1,000-foot threshold when hot pursuit originates on college property or within 1,000 feet of college owned or controlled property or facilities, or as agreed upon in accordance with a mutual aid agreement.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

On lines 7, 36, and 68, the bill refers to Florida College System police officers, but FCS institutions, not the FCS “system” employ police. The system does not have a police force; individual institutions have police forces. The word “institution” should be added on lines 7, 36, and 68 to make the bill technically correct.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
