

By the Committee on Education; and Senator Benacquisto

581-02266-13

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1 A bill to be entitled

2 An act relating to Florida College System institution
3 police officers; amending s. 23.1225, F.S.; providing
4 for mutual aid agreements involving Florida College
5 System institution police officers; amending s.
6 316.640, F.S.; providing for enforcement of traffic
7 laws in certain areas by Florida College System
8 institution police officers; amending s. 1012.88,
9 F.S.; revising provisions relating to the
10 jurisdictional authority of Florida College System
11 institution police officers; providing an effective
12 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

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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 or Florida College System
39 institution police officers to enforce laws within a specified
40 jurisdictional area as agreed upon in a ~~the~~ voluntary
41 cooperation written agreement, or establishing a joint city-
42 county traffic enforcement task force.

43 Section 2. Paragraph (a) of subsection (1) of section
44 316.640, Florida Statutes, is amended to read:

45 316.640 Enforcement.—The enforcement of the traffic laws of
46 this state is vested as follows:

47 (1) STATE.—

48 (a)1.a. The Division of Florida Highway Patrol of the
49 Department of Highway Safety and Motor Vehicles; the Division of
50 Law Enforcement of the Fish and Wildlife Conservation
51 Commission; and the agents, inspectors, and officers of the
52 Department of Law Enforcement each have authority to enforce all
53 of the traffic laws of this state on all the streets and
54 highways thereof and elsewhere throughout the state wherever the
55 public has a right to travel by motor vehicle.

56 b. University police officers may enforce all of the
57 traffic laws of this state when violations occur on or within
58 1,000 feet of any property or facilities that are under the

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59 guidance, supervision, regulation, or control of a state
60 university, a direct-support organization of such state
61 university, or any other organization controlled by the state
62 university or a direct-support organization of the state
63 university, or when such violations occur within a specified
64 jurisdictional area as agreed upon in a mutual aid agreement
65 entered into with a law enforcement agency pursuant to s.
66 23.1225(1). Traffic laws may also be enforced off-campus when
67 hot pursuit originates on or within 1,000 feet of any such
68 property or facilities, or as agreed upon in accordance with the
69 mutual aid agreement.

70 c. Florida Community College System institution police
71 officers may enforce all the traffic laws of this state only
72 when such violations occur on or within 1,000 feet of any
73 property or facilities that are under the guidance, supervision,
74 regulation, or control of the Florida College System
75 institution, or when such violations occur within a specified
76 jurisdictional area as agreed upon in a mutual aid agreement
77 entered into with a law enforcement agency pursuant to s.
78 23.1225. Traffic laws may also be enforced off-campus when hot
79 pursuit originates on or within 1,000 feet of any such property
80 or facilities, or as agreed upon in accordance with the mutual
81 aid agreement ~~community college system~~.

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

86 (I) An airport authority may employ as a parking
87 enforcement specialist any individual who successfully completes

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88 a training program established and approved by the Criminal
89 Justice Standards and Training Commission for parking
90 enforcement specialists but who does not otherwise meet the
91 uniform minimum standards established by the commission for law
92 enforcement officers or auxiliary or part-time officers under s.
93 943.12. This sub-sub-subparagraph may not be construed to permit
94 the carrying of firearms or other weapons, nor shall such
95 parking enforcement specialist have arrest authority.

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

102 e. The Office of Agricultural Law Enforcement of the
103 Department of Agriculture and Consumer Services may enforce
104 traffic laws of this state.

105 f. School safety officers may enforce all of the traffic
106 laws of this state when such violations occur on or about any
107 property or facilities that are under the guidance, supervision,
108 regulation, or control of 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 1012.88, Florida
142 Statutes, is amended to read:

143 1012.88 Florida College System institution police.—

144 (2) Each Florida College System institution police officer
145 is a law enforcement officer of the state and a conservator of

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146 the peace who has the authority to arrest, in accordance with
147 the laws of this state, any person for a violation of state law
148 or applicable county or municipal ordinance if that violation
149 occurs on or in any property or facilities or within 1,000 feet
150 of any property of the Florida College System institution by
151 which he or she is employed or any property or facilities of a
152 direct-support organization of such Florida College System
153 institution or any other organization controlled by the Florida
154 College System institution, or when such violations occur within
155 a specified jurisdictional area as agreed upon in a mutual aid
156 agreement entered into with a law enforcement agency pursuant to
157 s. 23.1225. A Florida College System institution police officer
158 may also arrest a person off campus for a violation committed on
159 campus after a hot pursuit of that person that began on or
160 within 1,000 feet of any such property or facilities. A Florida
161 College System institution police officer may bear arms in the
162 performance of his or her duties and carry out a search pursuant
163 to a search warrant on the campus where he or she is employed.
164 Florida College System institution police, upon request of the
165 sheriff or local police authority, may serve subpoenas or other
166 legal process and may make arrests of persons against whom
167 arrest warrants have been issued or against whom charges have
168 been made for violations of federal or state laws or county or
169 municipal ordinances.

170 Section 4. This act shall take effect July 1, 2013.