

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 1177 Joint Task Force on State Agency Law Enforcement Communications

SPONSOR(S): Oversight, Transparency & Administration Subcommittee; Ingoglia

TIED BILLS: IDEN./SIM. BILLS: CS/SB 1460

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Oversight, Transparency & Administration Subcommittee	13 Y, 0 N, As CS	Moore	Harrington
2) Criminal Justice Subcommittee	13 Y, 0 N	Jones	Sumner
3) Government Accountability Committee	20 Y, 0 N	Moore	Williamson

SUMMARY ANALYSIS

Florida's Statewide Law Enforcement Radio System (SLERS) is a single, unified digital radio network that meets the radio voice communications needs of state law enforcement officers and other participating agencies throughout the state. The Joint Task Force on State Agency Law Enforcement Communications (task force) is created in law to advise the Department of Management Services of member-agency needs relating to the planning, designing, and establishment of SLERS. The task force consists of the following members:

- A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who is appointed by the secretary of the department.
- A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who is appointed by the executive director of the department.
- A representative of the Department of Law Enforcement who is appointed by the executive director of the department.
- A representative of the Fish and Wildlife Conservation Commission who is appointed by the executive director of the commission.
- A representative of the Department of Corrections who is appointed by the secretary of the department.
- A representative of the Department of Financial Services who is appointed by the Chief Financial Officer.
- A representative of the Department of Agriculture and Consumer Services who is appointed by the Commissioner of Agriculture.

The task force is required to meet as necessary, but at least quarterly, at the call of the chair.

The bill adds a representative of the Florida Sheriffs Association to the task force, who must be appointed by the president of the Florida Sheriffs Association. The bill requires the per diem and travel expenses related to the task force that are incurred by the representative of the Florida Sheriffs Association to be paid by the sheriff's office that employs the representative.

The bill may have a minimal negative fiscal impact on local governments, but does not appear to have a fiscal impact on the state.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Florida's Statewide Law Enforcement Radio System (SLERS) is a single, unified digital radio network that meets the radio voice communications needs of state law enforcement officers and other participating agencies throughout the state. SLERS is a 800/700 (aircraft) MHz system consisting of 200 microwave sites, RF multi-sites, and RF simulcast sites. The SLERS all-digital radio network covers over 60,000 square miles (including 25 miles offshore) with 98 percent mobile coverage and portable coverage in selected areas. The Department of Management Services (DMS) was tasked with implementing SLERS and is responsible for ensuring the proper operation and maintenance of all common system equipment.¹

The Joint Task Force on State Agency Law Enforcement Communications (task force) is created in law to advise DMS of member-agency needs relating to the planning, designing, and establishment of SLERS. The task force consists of the following members:

- A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who is appointed by the secretary of the department.
- A representative of the Division of Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles who is appointed by the executive director of the department.
- A representative of the Department of Law Enforcement who is appointed by the executive director of the department.
- A representative of the Fish and Wildlife Conservation Commission who is appointed by the executive director of the commission.
- A representative of the Department of Corrections who is appointed by the secretary of the department.
- A representative of the Department of Financial Services who is appointed by the Chief Financial Officer.
- A representative of the Department of Agriculture and Consumer Services who is appointed by the Commissioner of Agriculture.²

Each appointed member of the task force serves at the pleasure of the appointing official. Any vacancy on the task force is filled in the same manner as the original appointment. A task force member may, upon notification to the chair before the beginning of any scheduled meeting, appoint an alternative to represent the member on the task force and vote on task force business in his or her absence.³

The task force must elect a chair from among its members to serve a one-year term. A vacancy in the chair of the joint task force must be filled for the remainder of the unexpired term by an election of the task force members.⁴

The task force is required to meet as necessary, but at least quarterly, at the call of the chair and at the time and place designated by him or her. The per diem and travel expenses incurred by a member of

¹ SLERS, Department of Management Services, https://www.dms.myflorida.com/business_operations/telecommunications/radio.communications.services/statewide_law_enforcement_radio_system_slers (last visited Jan. 26, 2018).

² Section 282.709(2)(a), F.S.

³ Section 282.709(2)(b), F.S.

⁴ Section 282.709(2)(c), F.S.

the task force in attending its meetings and in attending to its affairs must be paid from funds budgeted to the state agency that the member represents.⁵

Effect of the Bill

The bill adds to the task force a representative of the Florida Sheriffs Association, who must be appointed by the president of the Florida Sheriffs Association. Currently, there are 20 sheriffs' offices using SLERS.⁶

The bill requires the per diem and travel expenses incurred by the representative of the Florida Sheriffs Association in attending task force meetings and attending to task force affairs to be paid by the sheriff's office that employs the representative.

B. SECTION DIRECTORY:

Section 1. amends s. 282.709, F.S., relating to a state agency law enforcement radio system and interoperability network.

Section 2. provides an effective date of July 1, 2018.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill does not appear to impact state government revenues.

2. Expenditures:

The bill does not appear to impact state government expenditures.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The bill does not appear to impact local government revenues.

2. Expenditures:

The bill may have a negative fiscal impact on local governments because it requires the sheriff's office that employs the task force member who represents the Florida Sheriffs Association to pay that member's per diem and travel expenses. However, according to the Florida Sheriffs Association, the impact will be minimal and can be absorbed by the sheriffs' offices.⁷

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

⁵ Section 282.709(2), F.S.

⁶ Email from DMS staff, Jan. 11, 2018 (on file with Oversight, Transparency & Administration Subcommittee).

⁷ Telephone call with Tabitha Krol, Government Affairs Coordinator of the Florida Sheriffs Association (Jan. 26, 2018).

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The county/municipality mandates provision of Art. VII, s. 18 of the Florida Constitution may apply because this bill requires the per diem and travel expenses incurred by a task force member that represents the Florida Sheriffs Association to be paid by the sheriff's office that employs that member; however, an exemption may apply because the fiscal impact would likely be insignificant.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill does not appear to create a need for rulemaking or rulemaking authority.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On January 17, 2018, the Oversight, Transparency & Administration Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment required any per diem or travel expenses related to the task force that are incurred by the representative of the Florida Sheriffs Association to be paid by the sheriff's office that employs the representative.

This analysis is drafted to the committee substitute as approved by the Oversight, Transparency & Administration Subcommittee.